

## EXPLANATORY NOTE

*(This note is not part of the Order, but is intended to indicate its general purport.)*

The Conditions of Employment and National Arbitration Order (Northern Ireland), 1940, set up machinery for the compulsory settlement of trade disputes or questions in trade or industry concerning terms and conditions of employment.

The present Order provides that the Conditions of Employment and National Arbitration Order (Northern Ireland), 1940, shall not apply in respect of any trade dispute or question not reported to the Ministry before the tenth day of December, 1958; and that the Conditions of Employment and National Arbitration (Northern Ireland) Orders, 1940 to 1945, shall cease to have effect on the first day of March, 1959.

---

**SUPREME COURT, NORTHERN IRELAND**

*Procedure, p. 562*

| *Winter Assize, p. 606*

---

**PROCEDURE**
**The Supreme Court Rules (Northern Ireland)  
Order in Council, 1958.**

1958. No. 55

[NC]

BY THE GOVERNOR IN THE PRIVY COUNCIL OF NORTHERN IRELAND.

**WAKEHURST**

I, John de Vere, Baron Wakehurst, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Governor of Northern Ireland, by and with the advice of the Privy Council of Northern Ireland, in pursuance and by virtue of section sixty-one of the Supreme Court of Judicature Act (Ireland), 1877(a), as that enactment applies to the Supreme Court of Judicature of Northern Ireland(b) and of all other powers enabling me in this behalf, upon the recommendation and with the concurrence of a majority of all the Judges of the said Supreme Court of Judicature for the time being (of which majority the Lord Chief Justice of Northern Ireland was one) and the other persons mentioned in the said section sixty-one as applied as aforesaid, do by this Order make the Rules of Court set out in the Schedule hereto (which amend the Rules of the Supreme Court of Northern Ireland(c) in the manner appearing in that Schedule).

(a) 40 & 41 Vict. c. 57.

(c) S.R. & O. 1936 (No. 70) II, p. 2559.

(b) S.R. & O. 1921 (No. 1802), p. 1332.

This Order may be cited as the Supreme Court Rules (Northern Ireland) Order in Council, 1958, and shall come into force on the second day of June, 1958.

Given at Government House, Hillsborough, this twenty-ninth day of April, 1958.

*Brian Maginness*  
*Arthur Black*  
*L. E. Curran*  
*R. Corkey*

**SCHEDULE**

1. The Supreme Court Rules (Northern Ireland) (No. 4) Order in Council, 1957(a) shall be annulled.

2. The rules and fees (other than subrules 4 to 7 inclusive of Rule 7) contained in this Order shall not apply to any business done in any cause or matter commenced, or in any appeal or case stated lodged, before this Order comes into force and, except as hereinbefore provided, costs and fees in respect of any such business shall be charged and taxed in accordance with the rules of Court then in force.

3. The following amendment shall be made in Rule 8 of Order III (which relates to Indorsements of Claim):—

In paragraph (2) for the words and figures immediately following the words "as follows" to the end of the paragraph there shall be substituted the following:—

	£	s.	d.
"If the plaintiff's claim be settled by payment in respect of the demand of a sum not exceeding £20 ... ..	1	15	0
If exceeding £20 and not exceeding £40 ... ..	3	0	0
If exceeding £40 and not exceeding £75 ... ..	5	10	0
If exceeding £75 ... ..	8	0	0
With fifteen shillings for each additional service after the first service."			

4. The following amendments shall be made in Order XII (which relates to entry of appearance):—

(1) The following rules shall be substituted for Rules 2 and 3 respectively:—

"2. A defendant shall enter his appearance to a writ of summons by delivering to the proper officer of the Division to which the action is assigned an appearance in the Form No. 1 in Appendix A Part II, dated on the day of its delivery and signed by the defendant's solicitor, or, signed by the defendant and stating that the defendant appears in person. He shall at the same time deliver to the officer a duplicate of the appearance, which the officer shall impress with the office stamp

(a) S.R. & O. (N.I.) 1951, No. 111.

showing the date on which it is received and then return to the person entering the appearance.

"3. A defendant shall on the day on which he enters an appearance give notice of such appearance to the plaintiff by delivering a copy of the appearance to the plaintiff's solicitor, or, if the plaintiff sues in person, to the plaintiff himself in the ordinary way at the address for service, or by sending it by prepaid letter directed to that address and posted on the day of entering the appearance in due course of post."

(2) In Rules 4, 5, 6 and 9, for the word "memorandum" there shall be substituted the word "appearance".

(3) In Rules 7, 40 and 43 the words "memorandum of" shall be omitted.

(4) In Rule 8 for the words "a memorandum of" there shall be substituted the word "an".

(5) In Rule 42 the words "memorandum of" shall be omitted and for the word "memorandum" where it secondly occurs there shall be substituted the word "appearance" and for the words "where the memorandum" there shall be substituted the word "which".

5. In Order XIXXVI (which relates, inter alia, to proceedings at Trial), there shall be inserted after Rule 37 the following Rule:—

"37A. The Registrar or other proper officer present at any hearing or trial shall make a note of the times at which such hearing or trial shall commence and terminate respectively, and the time actually occupied thereby on each day on which the same shall take place, for communication to the Taxing Master if required."

6. The following amendments shall be made in Order LIX (which relates to appeals and cases stated in inferior court proceedings)—

(1) In the heading of Part VIII there shall be added the words and figures "and appeals by certificate under Section 22 of the County Courts Act (Northern Ireland), 1955".

(2) Rule 38 shall be annulled.

(3) In Rule 39 there shall be inserted the words and figures "and appeals under Section 22 of the County Courts Act (Northern Ireland), 1955" after the words "County Court Judge of Antrim" and before the words "shall be heard".

(4) In Rule 60 subrule (iii) for the words and figures "rules 36 and 38" there shall be substituted "Rule 36".

(5) The following amendments shall be made in Rule 77—

(a) There shall be substituted for the numeral "VIII" the numeral "VII".

(b) There shall be substituted for the figure "£50" the figure "£400".

(6) In Rule 80 there shall be substituted for the numeral "IX" the numeral "VIII".

(7) After Rule 83 the following Rules shall be added—

"84. On every appeal by way of case stated under this Order except cases stated under Part XII hereof or under Part XIII of Order LXV costs awarded against the appellant or respondent shall, unless the Court shall otherwise order, be taxed in accordance with the scales set out in Appendix S, Part II, Section III. The provisions of Rule 69 of Order LXV shall apply, *mutatis mutandis*, to every such appeal. In cases of difficulty, complexity or importance the Court may order that the costs shall be taxed in accordance with the provisions of Part I of the said Appendix.

"85. On every appeal by way of case stated under this Order except cases stated under Part XII hereof, or under Part XIII of Order LXV, where default is made in setting down the case for hearing, the fees payable by the party making default shall be those set forth in Appendix S, Part II, Section V."

7. The following amendments shall be made in Order LXV (which relates to Costs):—

(1) Rule 19A shall be annulled.

(2) In Rule 21 the words "in the column headed 'Lower Scale'" and the words "provided that in all causes and matters pending at the date aforesaid, to which the higher scale of costs in force before the 23rd day of October, 1883, was applicable, the same scale shall continue to be applied" shall be omitted.

(3) Rules 22, 23 and 24 shall be annulled.

(4) The following Rules shall be substituted for Rules 36, 37 and 38:—

"36. A copy of every judgment or order whereby any costs are directed to be paid, or, in the case of taxations under Rule 48(b) of this Order, a copy of the application for the taxation of costs and the undertaking in said Rule 48(b) mentioned, together with a Statement of Parties in such form as the Taxing Master may approve, shall be lodged with the Bill of Costs in the office of the Taxing Master and the solicitor lodging such copies shall be answerable that they are correct copies.

"37. As soon as possible after the lodgment of a bill of costs for taxation and the documents in the last preceding Rule mentioned the Taxing Master shall send by post to the parties appearing in person, and to the solicitors of the parties not appearing in person, a notice appointing the date before which all necessary papers and vouchers are to be left for taxation, and a subsequent date on which the taxation is to be proceeded with; such notice shall contain such directions as to the furnishing of particulars and the production of evidence in respect of any items appearing in the bill of costs as the Taxing Master may consider necessary and such directions (if any) which the Taxing Master may think fit to make in pursuance of Regulation (26) of Rule 61 of this Order.

" 38. Where under any Order or Judgment more than one party are entitled to costs the Taxing Master shall have authority to arrange for the bills of costs of all such parties to be taxed on the same day, and to this end may require any of such parties who are in default to lodge a bill of costs for taxation by such date as he may direct.

" 38A. Rules 36 and 37 of this Order shall not apply to ex parte taxations and under urgent circumstances (to be decided by the Taxing Master) the provisions of Rule 37 may, in the discretion of the Taxing Master, be so modified as to expedite the taxation."

(5) In Rule 39 regulations (b) and (o) shall be annulled and for regulations (g), (h), (i), (j), (k), (l) and (m) there shall be substituted the following regulations:—

" (g) The necessary papers and vouchers referred to in Rule 37 shall include all briefs, certificates, drafts of all documents, records of attendances and correspondence charged for in the bill of costs and receipts or vouchers for each disbursement therein charged.

" (h) All papers and vouchers lodged for taxation shall be tied in a bundle or bundles in the same order as the charges therefor appear in the bill of costs.

" (i) Each brief shall have indorsed thereon or annexed thereto an index or schedule of all documents included in such brief.

" (j) All drafts and other documents, the preparation of which is charged for by the folio, shall have the number of folios comprised therein indorsed thereon in figures.

" (k) Where a bill of costs shall contain items of disbursement in respect of witnesses' expenses such items shall clearly show the place of abode, and the condition, quality, occupation, or rank in life, of the witnesses or intended witnesses charged for; the places at which they are subpoenaed and the distances they have to travel for the purpose of attending the trial; also if they attended as witnesses in any other cause or came upon any other business and the length of time they were necessarily absent from home for the purpose of the trial, in going, remaining and returning.

" (l) Certificates of the amount of costs allowed shall be prepared and issued by the Taxing Master, but in no case shall such certificate be signed until the time for lodging objections has expired.

" (m) The Taxing Master shall allow solicitors attending to oppose the taxation of costs as between solicitor and client, proper charges for their attendance."

(6) The following rule shall be substituted for Rule 41:—

" 41. The taxation shall, if possible, be continued without interruption till completed, but if adjourned for any reason notice of the adjournment shall be sent by the Taxing Master

by post to any solicitor not present at the time of the adjournment, whose attendance he may desire at the next appointment."

(7) The following rule shall be substituted for Rule 42:—

"42. Any solicitor who shall fail to leave his bill of costs (together with the necessary vouchers and other documents mentioned in Rule 36) within the time or extended time fixed by the Taxing Master for that purpose, or who shall delay or impede the taxation shall, unless the Taxing Master otherwise directs, forfeit the fees to which he would otherwise be entitled for drawing his bill of costs and attending the taxation, and the Taxing Master may also, if he shall think fit, exercise all or any of the powers vested in him by Regulations 27 and 50 of Rule 61."

(8) In Rule 46 for the figure "£10" where it first occurs there shall be substituted the figure "£20", and the words "there shall be allowed no fees for instructions . . . ." to the end of the Rule shall be omitted and there shall be substituted therefor the words "one-fourth only of the fees prescribed by Appendix S Part I shall be allowable."

(9) Rule 47 shall be annulled.

(10) In Rule 49 for the scales and fees therein provided there shall be substituted the following scales and fees:—

	£	s.	d.
"In all cases where the principal sum for which judgment is marked shall not exceed £20 ... ..	3	0	0
And if execution do issue, the further sum of ...	0	10	0
			0
	3	10	0

And if more than one defendant served, a further sum of 6s. for each additional defendant.

In all cases where the principal sum for which judgment is marked shall exceed £20 and shall not amount to £40 ... ..	5	10	0
And if execution do issue, the further sum of ...	1	5	0
			0
	6	15	0

And if more than one defendant served, a further sum of 9s. for each additional defendant.

In all cases where the principal sum for which judgment is marked shall exceed £40 and shall not amount to £75 ... ..	9	0	0
And if execution do issue, the further sum of ...	1	10	0
			0
	10	10	0

And if more than one defendant served, a further sum of 15s. for each additional defendant.

In all cases where the principal sum for which judgment is marked shall amount to £75 or upwards, if the writ is served in any city or town in Northern Ireland ... ..	12	0	0
--	----	---	---

	£	s.	d.
Or if the writ is served in any county in Northern Ireland, and not in any city or town, in addition ...	1	0	0
And if more than one defendant served, a further sum of £1 5s. for each additional defendant.			
And if execution do issue, the further sum of ...	1	15	0
Where in consequence of the distance of the party to be served, it is proper to effect such service through an agent, for correspondence in addition ...	0	15	0
And if registered under the 13th and 14th Vict. cap. 74, in cases where the principal sum for which judgment is marked, including costs, shall amount to £75 or upwards, for the costs of such registration ... ..	3	0	0
And in cases under that amount for the costs of such registration ... ..	1	10	0
And if such judgment shall be registered against more than one defendant, then for each additional registration, an additional sum of ... ..	1	5	0"

(11) The following rule shall be substituted for Rule 57:—

"57. There shall be allowed on taxation of costs to shorthand writers employed under the provisions of Order LXI the same fees as those from time to time prescribed by the Treasury for taking a note of evidence and making transcripts for use in the Court of Criminal Appeal."

(12) In Rule 60 there shall be omitted the words "the following sum . . . ." to the end of the rule and there shall be substituted therefor the words "the sum of £2 0s. 0d."

(13) Rule 61 shall be amended as follows:—

(a) The words "subject, as regards special allowances, to the provisions of Rule 24 of this Order" shall be omitted.

(b) For regulations (1), (2), (3), (4) and (5) there shall be substituted the following regulation which shall stand as regulation (1):—

"(1) As to discretionary fees, if the Taxing Master shall on special grounds consider the fee provided inadequate, he may make such further allowance as may be reasonable."

(c) In Regulation (12) the words "from the length of the attendance or", the words "highest of the", the figures £1 11s. 6d.", the words and figures "or where the higher scale is applicable £4 14s. 6d." and the figures "£4 14s. 6d." where they lastly appear shall be omitted."

(d) In Regulation (15) for the words "special affidavits" there shall be substituted the words "affidavits other than affidavits of service."

(e) In Regulation (27) for the words "and such application shall be made by summons, and the rules and practice as to the issue and service of summonses to tax costs shall, so far as applicable, apply to the summons" there shall be substituted the words "such application shall be made on notice."

(f) For Regulations (28) and (29) there shall be substituted the following regulation which shall stand as Regulation (28):—

"(28) On every taxation the Taxing Master shall allow all such costs, charges and expenses, as shall appear to him to have been necessary or proper for the attainment of justice or defending the rights of any party, but save as against the party who incurred the same no costs shall be allowed which appear to the Taxing Master to have been incurred or increased through over-caution, negligence or mistake or by payment of special fees to counsel or special charges or expenses to witnesses or other persons, or by other unusual expenses."

(g) Regulations (38), (45), (56) and (57) shall be annulled.

(14) In the rules of this Order hereinafter set forth in the column numbered 1, there shall be substituted for the respective amounts prescribed by the said rules and set forth in column 2 the several sums respectively set forth opposite the same in column 3.

1	2	3
Rule Number	Amount as at present fixed	Amount fixed by this Order
	£ s. d.	£ s. d.
54	2 6 9	3 13 6
55	1 1 6	1 15 0
61 (11)	0 12 6	1 10 0
	0 15 0	1 15 0
	1 0 0	2 5 0
	1 5 0	3 0 0
	5 15 6	10 10 0
61 (12)	3 3 0	2 2 0 per hour
	7 17 6	3 3 0 per hour
	15 15 0	26 5 0
61 (18)	2 5 0	4 10 0
	1 10 0	3 0 0
61 (53)	14 3 6	28 7 0
	9 9 0	18 18 0
	4 11 6	9 9 0



(15) The following rules shall be substituted for Rules 67, 68, 69, 69A, 69B, 70 and 71:—

“ 67. In all actions for the determination of questions of title to incorporeal hereditaments the costs and fees payable shall, unless the Judge shall otherwise order at the hearing, be those set forth in Appendix S, Part II, Section I B.

“ 68. In all actions for ejectment and recovery of possession of land

- (a) on title; or
- (b) in respect of deserted premises; or
- (c) against a permissive occupant; or
- (d) for overholding; or
- (e) for non-payment of rent

the costs and fees payable shall, unless the Judge shall otherwise order at the hearing, be those set forth in Appendix S, Part II, Section I C.

“ 69. In all such actions as are mentioned in Rule 67 in which the Judge shall be of opinion that questions of difficulty and importance are involved, he may by special order at the hearing direct that the costs payable shall be those set forth opposite such one of the items of column (1) in Appendix S, Part II, Section I B, as he may think appropriate.”

(16) In Rule 72 there shall be substituted for the words and figures “ rules 67, 68, 69, 70 and 71 ” the words “ this Part ”.

(17) In Rule 73 for the figures and letters “ 8s. 9d.” and “ 17s. 6d.” there shall be substituted respectively the figures and letters “ 13s. 4d.” and “ £1 6s. 8d.”.

(18) In Rule 76 the word and figures “ and 69 ” shall be deleted.

(19) There shall be substituted for Heading XI the following:—

“ XI. Costs of Appeals in the County Court, Equity, Probate and Town Tenants Cases.”

(20) The following rule shall be substituted for Rule 77:—

“ 77. The costs and fees payable to Solicitors and Counsel under Section 3 of the County Court Appeals (Ireland) Act, 1889, shall be those prescribed by this Part of this Order and Appendix S, Part II, Sections II and IV.”

(21) The following rule shall be substituted for Rule 79:—

“ 79. Nothing contained in Rule 77 of this Order shall be deemed to limit or control the discretion of the Judge or Court in directing the scale according to which the costs are to be measured.”

(22) The following rule shall be substituted for Rule 80:—

“ 80. For the purpose of ascertaining the appropriate scale in Appendix S Part II, Sections II A, III and IV A, the value of any lands shall, subject to any direction of the Judge, be taken to be forty times their valuation under the Valuation Acts.”

(23) Rule 83 shall be annulled.

(24) The following heading and rule shall be inserted after Rule 86:—

“ *XIIA. Witnesses' Expenses*

86A. Notwithstanding the provisions of any statute for the time being in force, there may be allowed to or in respect of witnesses such fees and expenses as the Judge, or the Taxing Master as the case may be, in his discretion shall think just, so, however, that the total sum payable for fees and expenses to or in respect of any one witness shall not exceed £20.”

8. In Rule 5(c) of Order LXVI (which relates to Notices, Printing, etc.) there shall be substituted for the words “one half penny” the words “one penny”.

9. The following amendments shall be made in Order LXX (which relates to matrimonial causes and matters):—

(1) In sub-rule (1) of Rule 10 for the words “a memorandum in writing” there shall be substituted the words “an appearance” and for the word “memorandum” where it secondly occurs there shall be substituted the word “appearance” and the words “and the duplicate memorandum so issued shall be a certificate that the appearance was entered as stated therein” shall be omitted.

(2) For sub-rule (2) of Rule 10 there shall be substituted the following rule:—

“ (2) A copy of such appearance shall be given to the opposite party.”

(3) In sub-rule (3) of Rule 10 the words “memorandum of” shall be omitted.

10. In Rule 87 of Order LXXIV (which relates to proceedings for and in the winding-up of Companies) there shall be substituted for the words “two shillings”, “one shilling”, and “six pence” the words “four shillings”, “two shillings” and “one shilling” respectively.

11. Rule (8) of Order LXXXVII (which relates to the practice of the Land Purchase Commission (N.I.)) shall be annulled.

12. The following amendments shall be made in Order LXXXVIII (which relates to Bankruptcy matters):—

(1) Rule 102A shall be annulled.

(2) The following rule shall be substituted for Rule 103:—

" 103. The following rules of Order LXV, so far as applicable, shall apply to proceedings under the rules of this Order, with the necessary modifications, that is to say, Rules 13, 14, 20, 25, 28-39, 41, 42, 44, 61 (1), 61 (6)-(7), 61 (10), 61 (14)-(17), 61 (19), 61 (20), 61 (22)-(28), 61 (32), 61 (37), 61 (39)-(40), 61 (44), 61 (47), 61 (49)-(55), 62 and 89-91."

(3) Rules 105 and 106 shall be annulled.

13. The following amendments shall be made in Appendices A and O:—

(1) In Appendix A Part II for Forms 1, 2, 4 and 5 there shall be substituted the following forms, which shall stand as Forms 1, 2 and 4:—

" No. 1

Order 12, Rule 2.

**Appearance in general**

19 [Here put the number]

IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND  
DIVISION

BETWEEN

**A.B.,**

Plaintiff;

and

**C.D.,**

Defendant.

I/We appear for **C.D.**, the defendant in this action [or I appear in person in this action].

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

(Signed)

**E.F.,**

Solicitor for the defendant.

The registered place of business of **E.F.** is

[or **C.D.**, the defendant in person.

The place of residence of **C.D.** is

His address for service is \_\_\_\_\_ ]

" No. 2

Order 12, Rule 39.

**Appearance limiting defence**

[Heading as in Form 1]

I/We appear for \_\_\_\_\_ in this action [or I appear in person in this action].

The said \_\_\_\_\_ [or I] limit(s) his (my) defence to part only of the property mentioned in the writ of summons, namely, to the close called "The Big Field".

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

(Signed)

etc.

[As in Form 1]

**Appearance to third party notice**

[Heading as in Form 1]

I/We appear for **M.N.** [or I appear in person] to the notice issued in this action on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ by the defendant **G.D.**, under the Rules of the Supreme Court (Northern Ireland) Order XVI, Rule 49.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

(Signed) \_\_\_\_\_ etc. [As in Form 1] ”

(2) In Appendix O for Forms 8 and 9 there shall be substituted the following form, which shall stand as Form 8:—

“ FORM 8

Order 70, Rule 10.

**Appearance**

To the petitioner or [his or her solicitor]

I/We appear for [the respondent] in this cause [or I appear in person in this cause].

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

(Signed) \_\_\_\_\_

of \_\_\_\_\_ whose address for service is \_\_\_\_\_

14. The following Appendix shall be substituted for Appendix S (which relates to costs):—

## APPENDIX S

## PART I

## Costs and Fees in Supreme Court Proceedings

No.	ITEM	£ s. d.
WRITS, SUMMONSES, etc.		
1	Writ of summons ... Where the statement of claim is indorsed on the writ such further allowance may be made as the Taxing Master shall think just.	8 0 0
2	Writs other than writs of summons and of subpoena ...	4 10 0
3	Writ of subpoena ...	1 5 0
4	Originating motion or originating summons ...	6 0 0
5	Petition in a matrimonial cause or other originating or special petition ...	7 0 0
6	Concurrent writ of summons, concurrent originating summons or renewal of a writ of summons ...	0 15 0
7	Summons to attend at Judge's Chambers or interlocutory summons ...	1 10 0
8	Citation, probate or matrimonial ...	2 5 0
NOTICES		
9	Notice of appeal, including instructions therefor ...	4 0 0
10	Notice of motion ...	3 0 0
11	Notice to produce or admit on trial or hearing of action ...	2 0 0
12	Notice to creditors or contributories in proceedings to wind up companies or like notice in any other cause or matter ...	0 15 0
13	Any other proper and necessary notice ...	0 5 0
	From	
	To	2 0 0
<p>Where notice of filing affidavits is required only one notice is to be allowed for a set of affidavits filed or which ought to be filed together. Service of a notice of the adjournment or next appointment is not to be allowed.</p>		
APPEARANCES		
14	Entering ... Where more than one appearance is entered at one time, or where the appearance to any writ of summons is in any way limited, or where it is necessary to make search in the Queen's Bench Division (Probate) for appearance when the time limited therefor	1 0 0

No.	ITEM	£ s. d.
	has expired, such further allowance may be made as the Taxing Master shall think just.	
15	Undertaking to appear ... ..	1 10 0
	<b>PLEADINGS</b>	
16	Statement of claim when not indorsed on writ ...	12 10 0
17	Statement of defence with or without counterclaim, or answer to a petition ... ..	15 0 0
18	Preliminary Act in Admiralty ... ..	5 0 0
19	Further statement of defence, reply with or without joinder of issue, confession of defence, demurrer, particulars, breaches, objections, or any other pleading (not being a petition or summons) or amendments of any pleading ... ..	3 0 0
	<b>AFFIDAVITS</b>	
20	In answer to interrogatories and affidavits to be used on the trial of an action to be tried in whole or in part on affidavit and other affidavits (except affidavits of service) ... .. per page	4 0 0
21	Affidavit of service ... .. Where an affidavit is annexed to or lodged with a document merely to verify it or to identify the parties to such document the entire is to be considered as one document and no separate allowance shall be made for such affidavit.	0 15 0
	<b>INTERROGATORIES</b>	
22	Interrogatories ... ..	5 0 0
	<b>SPECIAL CASE, CASE FOR MOTION AND CASES FOR COUNSEL</b>	
23	Special case ... ..	6 5 0
24	Case for motion in probate and matrimonial actions, causes and matters ... ..	5 0 0
25	Case for counsel to advise on evidence when evidence in chief is to be taken orally ... ..	4 0 0
26	Other cases for counsel ... .. per page Not to be allowed as between party and party.	2 0 0
	<b>BRIEFS</b>	
	Copies of pleadings and documents sent to counsel with the case for proofs, and copies of documents sent to counsel for the purpose of settling pleadings and the like should, where practicable, be afterwards incorporated with the briefs for trial or hearing, or on motions if the same be requisite for such briefs.	

No.	ITEM	£	s.	d.
27	Brief on hearing or trial of action, upon notice of trial or notice for judgment given, whether such trial be before a judge with or without a jury, or on trial of an issue of fact before a judge, or commissioner, or on an inquiry before the registrar, or on an assessment of damages, to include necessary and proper observations ...	10	10	0
28	Brief on motion for special injunction ...	7	0	0
29	Brief on originating motion or originating summons	5	0	0
30	Brief on further consideration ... No allowance under this item shall be made unless the order for accounts or enquiries was made without such hearing or trial to which item 26 applies, or the party to be charged has not appeared on a previous hearing or trial of the action.	10	10	0
31	Brief on any other application ... Subject as hereinbefore provided the cost of copying documents which ought to be incorporated in the brief is not included in the above items.	3	0	0
CERTIFICATES				
32	Any proper and necessary certificate ...	0	15	0
ACCOUNTS AND ADVERTISEMENTS				
33	Accounts, charges, discharges, inventories and statements for Judges' Chambers or Registrar's Office when required or to lodge in Chambers, and reports in Admiralty (if any):— In the case of accounts ... per item In all other cases ... per page	0	0	9
34	Advertisements, including attendances to settle and insert ...	2	0	0
JUDGMENTS AND ORDERS, etc.				
35	Decree absolute, including outlay ...	7	0	0
36	Assignment of judgment ... per page	2	10	0
37	Judgment search to include requisition therefor ...	1	0	0
38	Registration of a judgment, order, crown bond, lis pendens, recognizance; or to enrol and register any deed ...	3	0	0
39	Recognizance or undertaking in lieu thereof ...	2	15	0
40	Vacating recognizance, including outlay ...	3	0	0
41	Common bond and warrant ...	2	0	0
42	Satisfaction piece, including affidavit ...	2	0	0
43	Consent ...	3	0	0
44	Bill of costs for taxation ... per page	0	15	0

No.	ITEM	£ s. d.
	On taxations pursuant to rule 48(b) of Order LXV no allowance shall be made for drawing the bill of costs.	
45	Transfer of any stock or share through Accountant General's Office. . . . .	2 0 0
46	Retainer to counsel . . . . .	0 10 0
	Not to be allowed as between party and party.	
47	Schemes for the administration of charitable trusts, settlements and the like . . . . . per page	1 0 0
	MISCELLANEOUS DOCUMENTS, etc.	
48	Any instrument or document for which no fee is hereinbefore provided . . . . . per page	1 0 0
	“The foregoing fees, unless otherwise expressly provided, include (1) all charges for drawing, perfecting and otherwise completing, attendances on the client or other person to sign or execute, and on counsel to settle, and on any officer of the Court to issue, file, lodge, bespeak or settle, and to deliver; (2) the cost of making copies for the following purposes:—copies for use of client, counsel or solicitor (other than necessary brief copies for counsel), copies to deliver, copies to file and copies to lodge.	
	Items 1, 4, 5, 16 to 20, 22 to 31, 33, 47 and 48 inclusive, are discretionary fees and allowances, and include—	
	(i) all charges for instructions, attendances, perusals and correspondence;	
	(ii) all other allowances under Rule 61 in respect of work and labour necessarily and properly performed up to the time when such discretionary fee is chargeable.”	
	COPIES	
	(Where not included in the foregoing charges)	
49	Briefs of all proper and necessary documents, other than printed documents . . . . . per folio	0 0 9
50	Copies of documents not printed . . . . . per folio	0 0 9
	In proceedings to wind up a company the usual charges relating to printing shall be allowed in lieu of copies for service where the fees for copies would exceed the charges for printing.	
51	Carbons or duplicated copies . . . . . per folio	0 0 4
52	Where, pursuant to Rules of Court any pleading, special case or evidence is printed, the solicitor of the party printing shall be allowed for a copy for the printer to include examining the proof print, inserting amendments, and attendances on the printer . . . . . per folio	0 0 10



No.	ITEM	£ s. d.
53	For printing, the amount actually and properly paid to the printer ... ..	
54	Collating any copy of a scrip exhibit or other instrument with the original or with another copy thereof, including fee for attendance where necessary ... .. per folio	0 1 6
ENGROSSING		
55	Engrossing by hand on parchment document required to be so engrossed ... .. per folio	0 2 0
PERUSALS		
(Where not included in the foregoing charges)		
56	Of any pleading (not being a summons), petition, special case, interrogatories, testamentary papers and exhibits of all kinds in probate and matrimonial actions, causes and matters, affidavits in answers to interrogatories and affidavits other than affidavits of service ... .. per page As to perusal of amendment of any pleading the Taxing Master may make such further allowance as he may think just. To be allowed only to the solicitor for the party to whom the documents are delivered except in the case of testamentary papers and exhibits in probate and matrimonial actions, causes and matters.	0 10 0
57	Of claim where necessary under Order LV, Part XI	per claim 0 3 0
58	Of account ... ..	per item 0 0 4
59	Of charge, discharge, report or draft Chief Clerk's Certificate ... ..	per page 0 10 0
60	Of notice to produce or admit ... ..	per page 0 15 0
61	Of notice of appeal ... .. This item includes all charges for instructions to defend appeal.	3 0 0
62	Of copy Order to add parties, notice of defendant's claim against any person not a party to the action under Order XVI, Rule 48, and of defendant's statement of defence and counterclaim served on a co-defendant or his solicitor or on a person not a party by the solicitor of the party served therewith, and in these several cases the perusal of the plaintiff's statement of claim is also to be allowed unless the solicitor has been previously allowed such perusal ... ..	per page 0 5 0
63	On appointment of new solicitor, for reading documents and proceedings to obtain knowledge thereof:—	

No.	ITEM	£ s. d.
	<p>Such fee as the Taxing Master may consider just having regard to all the circumstances of the case, including the number and length of documents perused and the complexity of the matter.</p> <p>Not to be allowed as between party and party Where the perusal of any document hereinbefore mentioned is essential to the preparation of a document the fee or allowance for which is discretionary no separate charge or allowance for such perusal shall be made.</p>	
	<p><b>ATTENDANCES</b></p>	
	<p>(Where not included in the foregoing items)</p>	
<p>64</p>	<p>On client or other person not being in any Court or in an office or upon an officer of the Supreme Court, if necessary and proper from the circumstances of the case, and having regard to the nature of the taxation whether as between party and party, or solicitor and client as the case may be—</p>	
	<p>A—In the city or town where the solicitor practices, or within a radius of five miles of the solicitor's office or home:</p> <p>For the first half hour ... .. 0 15 0</p> <p>Exceeding half an hour, but not exceeding one hour ... .. 1 5 0</p> <p>For each subsequent half hour ... .. 0 12 6</p>	
	<p>B—Elsewhere—</p> <p>(i) In Northern Ireland:</p> <p>Per day of not less than eight hours ... 15 15 0</p> <p>Where engaged for less than eight hours, per hour ... .. 2 2 0</p> <p>Where such attendance is by a clerk, per day of not less than eight hours 4 10 0</p> <p>Where engaged for less than eight hours, per hour ... .. 0 12 6</p> <p>(ii) Outside Northern Ireland:</p> <p>Per day of not less than eight hours ... 18 18 0</p> <p>Where engaged for less than eight hours, per hour ... .. 2 10 0</p> <p>Where such attendance is by a clerk, per day of not less than eight hours 5 5 0</p> <p>Where engaged for less than eight hours, per hour ... .. 0 15 0</p>	
	<p>Note:—(1) Time occupied in travelling (except in cases to which item B(ii) applies between the hours of 12 p.m. and 8 a.m.) to be reckoned as if employed on business.</p>	

No.	ITEM	£ s. d.
	(2) In addition, reasonable personal and travelling expenses are to be allowed.	
	(3) Item B shall not apply to party and party costs.	
65	On hearing or trial of any cause or matter or issue of fact, inquiry or inquisition, before a Judge with or without a Jury, or Commissioner, or on assessment of damages or Admiralty reference when in the list for hearing or on an examination of witnesses before any examiner, Admiralty Registrar, Commissioner, officer or other person, when not heard ... ..	1 10 0
66	When heard or tried, for the first hour of hearing or trial ... ..	2 10 0
	For each subsequent hour ... ..	1 5 0
67	And in addition there shall be allowed reasonable travelling, subsistence, and hotel expenses, but only as against the client ... .. If the solicitor has to attend on more than one hearing or trial on the same day and at the same place, the expenses shall in such case be rateably divided.	
68	In Court or, at Chambers on a summons, motion (other than a motion of course), demurrer, special case, special petition, or any other application when in the list for the day and not heard ...	1 10 0
69	On same when heard, for the first hour of the hearing ... ..	2 10 0
	For each subsequent hour ... ..	1 5 0
	If several summonses or notices in the same cause or matter are in the list for the same day, and all or some of them are not heard, the Taxing Master may make such allowance in respect of the second and subsequent summonses or notices as he shall think just.	
70	In Court on motion of course and for order ...	1 10 0
71	To hear judgment when trial or hearing adjourned	2 0 0
72	On taxation of a bill of costs ... per hour	1 10 0
73	On a view jury if directed by the Judge per hour	1 5 0
74	On any officer of the Court where in the opinion of the Taxing Master same is necessary and proper ... .. per hour	1 5 0
75	On a consultation or conference with counsel, including arranging same—	
	When same does not exceed one hour ...	3 10 0
	If exceeding one hour, per hour ...	2 0 0
	A conference on the pleadings or in an interlocutory matter is not to be allowed on a party and party taxation.	
76	On inquiry as to solvency of sureties proposed, putting in or offering sureties, or in Admiralty giving or taking bail ... .. per hour	1 5 0

No.	ITEM	£ s. d.
<b>ACCOUNTANT GENERAL'S OFFICE</b>		
77	Attendance on Accountant General, in connection with the lodgment of money or drawing of cash or stock, including privy Where there are several transfers or payments under the same judgment or order such additional fee shall be allowed as the Taxing Master shall in his discretion think just.	1 15 0
78	Investment or carry over to another account	1 0 0
<b>LETTERS</b>		
(Where not included in the foregoing items) A telegram to be treated as a letter.		
79	For each letter necessary and proper having regard to the nature of the taxation, whether as between party and party or solicitor and client as the case may be Letter for payment or to settle not to be allowed unless sent a reasonable time before action brought.	0 7 6
80	If several of the same import for each one after the first, if in the opinion of the Taxing Master same should be allowed Provided that if many such letters are necessary it shall be in the discretion of the Taxing Master to allow for them only at the same rate as if they had been printed or stencilled.	0 5 0
81	Perusing each letter from or on behalf of the client containing instructions necessary and proper having regard to the nature of the taxation, whether as between party and party or solicitor and client, as the case may be	0 7 6
82	In addition an allowance shall be made for the necessary expenses of postages, telegrams, carriage, etc., in transmission of documents.	
<b>SERVICE</b>		
83	Service of any writ, citation, summons, interrogatories, petition, order or notice, on a party who has not entered an appearance, not authorised to be served by post or through the Central Office:— In the City of Belfast In any other city or town in Northern Ireland Elsewhere in Northern Ireland If lodged in the Central Office Where, in consequence of the distance of the party to be served, it is proper to effect such service through an agent, or where	0 15 0 1 10 0 2 5 0 0 10 0

No.	ITEM	£ s. d.
	more than one attendance is necessary to effect service or to ground an application for substituted service, and in other cases within Rule 50 of Order LXV, such further allowance may be made as the Taxing Master shall think just.	
84	Service of any summons, interrogatories, order, notice, demand or other document (not being a writ of summons or citation) on a party who has entered an appearance if not authorised to be served through the Central Office ... ..	0 6 0
85	Service by post or through the Central Office: Not to exceed for any number of services of the same document on different persons ... .. Where any two or more documents shall be served together one fee only for service is to be allowed.	0 5 0 1 0 0
86	For service out of the jurisdiction, the proper and necessary costs thereof ... ..	
OATHS, EXHIBITS, etc.		
	Commissioner to take oaths or affidavits.	
87	For every oath, declaration, affirmation, or attestation upon honour ... ..	0 3 6
88	The Commissioner for marking each exhibit ... ..	0 1 6
89	For every recognizance ... .. Where there is more than one cognizer the Taxing Master shall allow such further fee as he may think just.	1 0 0
90	Commissioner on taking bail whether under a special or standing commission ... ..	3 3 0
APPRAISERS AND ASSESSORS		
91	Appraisers ... .. each, per day	3 3 0
92	Assessors ... .. each, per day	6 6 0
	Where by reason of the service of a notice of discontinuance, the settlement of the matter, or death or change of solicitor, or for any other reason, all the work contemplated by any of the foregoing items has not been completed the Taxing Master shall make such allowance in lieu thereof as he shall think just.	

APPENDIX S  
PART II  
COSTS IN CIVIL BILL APPEALS AND CASES STATED  
SECTION I  
A.—Ordinary Civil Bill Appeals

In actions where amount sued for or decreed	All charges preliminary or incident to the hearing of the appeal, and completing and taking out the order thereon; except those included in columns Nos. 3, 4 and 5	To the Appellant's solicitor, in addition, for entering appeal, affidavit of service and notice thereof	To the Appellant's solicitor, in addition, for preparing recognisance, or lodging money in lieu thereof, to be allowed only where done	For preparing instructions and brief for Counsel when instructed	Counsel's fees
(1)	(2)	(3)	(4)	(5)	(6)
	£ s d	£ s d	£ s d	£ s d	£ s d
(i) does not exceed £10 ... ..	2 0 0	0 13 4	0 13 4	0 10 0	1 1 0
(ii) exceeds £10 but does not exceed £20 ... ..	3 15 0	0 13 4	0 13 4	0 15 0	2 2 0
(iii) exceeds £20 but does not exceed £40 ... ..	6 0 0	0 13 4	0 13 4	1 0 0	3 3 0
(iv) exceeds £40 but does not exceed £75 ... ..	8 17 0	0 17 9	0 17 9	1 3 6	5 5 0
(v) exceeds £75 but does not exceed £100 ... ..	13 15 0	1 6 8	1 6 8	1 10 0	6 6 0
(vi) exceeds £100 but does not exceed £150 ... ..	17 0 0	1 6 8	1 6 8	2 0 0	7 7 0
(vii) exceeds £150 but does not exceed £225 ... ..	25 10 0	1 6 8	1 6 8	2 0 0	8 8 0
(viii) exceeds £225 ... ..	33 0 0	1 6 8	1 6 8	2 0 0	9 9 0

Procedure

## SECTION I

**B.—Ordinary Civil Bill Appeals—Title Jurisdiction**

(To be calculated according to the valuation of the lands of the appellant or respondent as the Judge or Taxing Master, as the case may be, may direct)

Valuation  (1)	All charges preliminary or incident to the hearing of the appeal, and completing and taking out the order thereon; except those included in columns Nos. 3, 4, and 5 (2)	To the Appellant's solicitor, in addition, for entering appeal, affidavit of service and notice thereof (3)	To the Appellant's solicitor, in addition, for preparing recognisance, or lodging money in lieu thereof, to be allowed only where done (4)	For preparing instructions and brief for Counsel when instructed (5)	Counsel's fees (6)
	£ s d	£ s d	£ s d	£ s d	£ s d
(i) not exceeding £30 ...	6 0 0	0 13 4	0 13 4	1 0 0	4 4 0
(ii) exceeding £30 but not exceeding £50 ...	9 0 0	1 6 8	1 6 8	1 10 0	6 6 0
(iii) exceeding £50 ...	14 0 0	1 6 8	1 6 8	2 0 0	7 7 0

SECTION I  
C.—Ejectments

(a) On Title;  
(d) For overholding; and

(b) In respect of deserted premises;  
(e) For non-payment of rent.

(c) Against Permissive Occupant;

(1)	All charges preliminary or incident to the hearing of the appeal, and completing and taking out the order thereon; except those included in columns Nos. 3, 4, and 5 (2)	To the Appellant's solicitor, in addition, for entering appeal, affidavit of service and notice thereof (3)	To the Appellant's solicitor, in addition, for preparing recognisance, or lodging money in lieu thereof, to be allowed only where done (4)	For preparing instructions and brief for Counsel when instructed (5)	Counsel's fees (6)	
					Title; deserted premises; permissive occupant	Overholding and non-payment of rent
(i) For overholding and for non-payment of rent only where the annual rent does not exceed £50	£ s d 2 10 0	£ s d 0 13 4	£ s d 0 13 4	£ s d 1 0 0	£ s d	£ s d 3 3 0
(ii) In respect of deserted premises or against permissive occupant; On Title where valuation does not exceed £30; For overholding and for non-payment of rent where annual rent exceeds £50 but does not exceed £100	2 15 0	1 6 8	1 6 8	1 8 0	3 3 0	4 4 0
(iii) On Title where valuation exceeds £30 but does not exceed £50; For overholding and for non-payment of rent where annual rent exceeds £100 but does not exceed £200	4 5 0	1 6 8	1 6 8	2 0 0	5 5 0	6 6 0
(iv) On Title where valuation exceeds £50; For overholding and for non-payment of rent where annual rent exceeds £200	9 10 0	1 6 8	1 6 8	4 15 0	7 7 0	8 8 0

Procedure

585



## SECTION II

APPEALS TO JUDGE OF ASSIZE UNDER SECTION 3 OF THE  
COUNTY COURT APPEALS (IRELAND) ACT, 1889

## A.—Equity Cases

(The value of any lands to be taken as 40 times P.L.V.—See Order LXV, Rule 80)	Column 1	Column 2	Column 3	Column 4
	Value of subject matter not exceeding £200	Value of subject matter exceeding £200 but not exceeding £500	Value of subject matter exceeding £500 but not exceeding £750	Value of subject matter exceeding £750
	£ s d	£ s d	£ s d	£ s d
<b>APPEALS FROM INTERLOCUTORY ORDERS</b>				
<i>Fees of Appellant's Solicitor</i>				
1. For lodging notice of appeal and security for costs with Clerk of Crown and Peace, service of notice of appeal being lodged where only one party to be served, and to cover all charges preliminary to the hearing of the appeal	1 7 6	1 13 6	2 10 0	3 5 6
2. For each additional service over one ... ..	0 2 6	0 2 6	0 4 0	0 4 0
3. Preparing instructions and brief for counsel if employed	0 11 0	0 14 0	1 3 6	1 17 6
4. For attending on the hearing and to cover all charges incidental to the hearing, and completing and taking out order thereon ... ..	2 16 0	3 10 0	4 13 6	6 1 6
<i>Fees for Respondent's Solicitor</i>				
1. To cover all charges preliminary to the hearing ... ..	0 8 6	0 14 0	0 13 6	1 12 6
2. Preparing instructions and brief for counsel, if employed	0 11 0	0 14 0	1 3 6	1 17 6
3. For attending on the hearing, and to cover all charges incidental to the hearing, and completing and taking out the order thereon ... ..	2 16 0	3 10 0	4 13 6	6 1 6
<i>Counsel's fees</i>				
Counsel for appellant or respondent ... ..	3 3 0	4 4 0	4 4 0	5 5 0

SECTION II

APPEALS TO JUDGE OF ASSIZE UNDER SECTION 3 OF THE COUNTY COURT APPEALS (IRELAND) ACT, 1889

A.—Equity Cases

	Column 1	Column 2	Column 3	Column 4
	Value of subject matter not exceeding £200	Value of subject matter exceeding £200 but not exceeding £500	Value of subject matter exceeding £500 but not exceeding £750	Value of subject matter exceeding £750
(The value of any lands to be taken as 40 times P.L.V.—See Order 65, Rule 80)	£ s d	£ s d	£ s d	£ s d
<b>APPEALS FROM FINAL ORDERS</b>				
<i>Fees of Appellant's Solicitor</i>				
1. For lodging notice of appeal and security for costs with Clerk of Crown and Peace, service of notice of appeal being lodged where only one party to be served, and to cover all charges preliminary to the hearing of the appeal	1 13 6	2 2 0	3 5 6	4 4 0
2. For each additional service over one ... ..	0 2 6	0 2 6	0 4 0	0 4 0
3. Preparing instructions and brief for counsel if employed	0 14 0	1 2 6	1 17 6	2 16 0
4. For attending on the hearing and to cover all charges incidental to the hearing, and completing and taking out the order thereon ...	3 10 0	5 12 0	6 1 6	9 6 6
<i>Fees of Respondent's Solicitor</i>				
1. To cover all charges preliminary to the hearing ...	0 14 0	0 19 6	1 12 6	2 11 6
2. Preparing instructions and brief for counsel, if employed	0 14 0	1 2 6	1 17 6	2 16 0
3. For attending on the hearing, and to cover all charges incidental to the hearing, and completing and taking out the order thereon ...	3 10 0	5 12 0	6 1 6	9 6 6
<i>Counsel's fees</i>				
Counsel for the appellant or respondent ... ..	4 4 0	6 6 0	7 7 0	8 8 0

SECTION II  
 APPEALS TO JUDGE OF ASSIZE UNDER SECTION 3 OF THE COUNTY COURT APPEALS (IRELAND) ACT, 1889  
 B.—Probate Cases

	Where there are no lands and personalty sworn at a sum not exceeding £200	Where there are no lands and personalty sworn at a sum exceeding £200 but not exceeding £500 OR Where personalty sworn at a sum not exceeding £100 and valuation of lands does not exceed £30	Where there are no lands and personalty sworn at a sum exceeding £500 but not exceeding £750 OR Where personalty sworn at a sum not exceeding £100 and valuation of lands exceeds £30 but does not exceed £50	Where there are no lands and personalty sworn at a sum exceeding £750 OR Where personalty sworn at a sum not exceeding £100 and valuation of lands exceeds £50
(1)	(2)	(3)	(4)	(5)
	£ s d	£ s d	£ s d	£ s d
<b>APPEALS FROM INTERLOCUTORY ORDERS</b>				
<i>Fees of Appellant's Solicitor</i>				
1. For lodging notice of appeal and security for costs with Clerk of Crown and Peace, service of notice of appeal being lodged where only one party to be served, and to cover all charges preliminary to the hearing of the appeal ...	1 7 6	1 13 6	2 10 0	3 5 6
2. For each additional service over one ...	0 2 6	0 2 6	0 2 6	0 2 6
3. Preparing instructions and brief for counsel if employed ...	0 11 0	0 14 0	1 3 6	1 17 6
4. For attending on the hearing and to cover all charges incidental to the hearing, and completing and taking out order thereon ...	2 16 0	3 10 0	4 13 6	6 1 6
<i>Fees for Respondent's Solicitor</i>				
1. To cover all charges preliminary to the hearing ...	0 8 6	0 14 0	0 18 6	1 12 6
2. Preparing instructions and brief for counsel if employed ...	0 11 0	0 14 0	1 3 6	1 17 6
3. For attending on the hearing, and to cover all charges incidental to the hearing, and completing and taking out the order thereon ...	2 16 0	3 10 0	4 13 6	6 1 6
<i>Counsel's fees</i>				
Counsel for appellant or respondent ...	3 3 0	4 4 0	4 4 0	5 5 0

**SECTION II**  
**APPEALS TO JUDGE OF ASSIZE UNDER SECTION 3 OF THE COUNTY COURT APPEALS (IRELAND) ACT, 1889**

**B.—Probate Cases**

(1)	(2) Where there are no lands and personalty sworn at a sum not exceeding £200	(3) Where there are no lands and personalty sworn at a sum exceeding £200 but not exceeding £500 OR Where personalty sworn at a sum not exceeding £100 and valuation of lands does not exceed £30	(4) Where there are no lands and personalty sworn at a sum exceeding £500 but not exceeding £750 OR Where personalty sworn at a sum not exceeding £100 and valuation of lands exceeds £30 but does not exceed £50	(5) Where there are no lands and personalty sworn at a sum exceeding £750 OR Where personalty sworn at a sum not exceeding £100 and valuation of lands exceeds £50
	£ s d	£ s d	£ s d	£ s d
<b>APPEALS FROM FINAL ORDERS</b>				
<i>Fees of Appellant's Solicitor</i>				
1. For lodging notice of appeal and security for costs with Clerk of Crown and Peace, service of notice of appeal being lodged where only one party to be served, and to cover all charges preliminary to the hearing of the appeal ...	1 13 6	2 2 0	3 5 6	4 4 0
2. For each additional service over one ...	0 2 6	0 2 6	0 2 6	0 2 6
3. Preparing instructions and brief for counsel if employed ...	0 14 0	1 2 6	1 17 6	2 16 0
4. For attending on the hearing and to cover all charges incidental to the hearing, and completing and taking out the order thereon ...	3 10 0	5 12 0	6 1 6	9 6 6
<i>Fees of Respondent's Solicitor</i>				
1. To cover all charges preliminary to the hearing ...	0 14 0	0 19 6	1 12 6	2 11 6
2. Preparing instructions and brief for counsel if employed ...	0 14 0	1 2 6	1 17 6	2 16 0
3. For attending on the hearing, and to cover all charges incidental to the hearing, and completing and taking out the order thereon ...	3 10 0	5 12 0	6 1 6	9 6 6
<i>Counsel's fee</i>				
Counsel for appellant or respondent ...	3 3 0	5 5 0	7 7 0	9 9 0

## SECTION II

APPEALS TO JUDGE OF ASSIZE UNDER SECTION 3 OF THE  
COUNTY COURT APPEALS (IRELAND) ACT, 1889**B.—Probate Cases (Contd.)**

NOTE: Where the estate consists of personalty sworn at a sum exceeding £100 and lands not exceeding £75 in annual value, the costs and fees payable to solicitors and counsel shall be ascertained by reference to columns (2), (3), (4) and (5) of this Section in the following manner:—

- (a) The column which yields the higher sum shall apply;
- (b) Where each column yields the same sum that sum shall apply.

SECTION III

APPEALS BY CASE STATED UNDER ORDER LIX, RULE 84

(The value of any lands to be taken as 40 times P.L.V.)	Column 1	Column 2	Column 3	Column 4
	Value of subject matter not exceeding £200	Value of subject matter exceeding £200 but not exceeding £500	Value of subject matter exceeding £500 but not exceeding £750	Value of subject matter exceeding £750
	£ s d	£ s d	£ s d	£ s d
<i>Fees of Solicitor for Party requiring Case to be stated</i>				
1. To cover all preliminary charges up to and including the setting down of the case stated, and service of notice thereof, where only one party to be served. ... ..	2 7 6	2 16 0	3 10 0	4 8 6
2. For each additional service over one. ... ..	0 2 6	0 2 6	0 4 0	0 4 0
3. Preparing instructions and brief for counsel, if employed	0 14 0	1 2 6	1 17 6	2 16 0
4. For attending on the hearing of the case stated, and to cover all charges incidental to the hearing, and completing and taking out the order made thereon ... ..	2 16 0	4 18 0	5 12 0	7 18 6
<i>Fees of Solicitor for Party in whose favour the Court below decided</i>				
1. To cover all preliminary charges up to and including the receiving of notice of the setting down of the case stated. ... ..	1 13 6	2 2 0	3 5 6	4 4 0
2. Preparing instructions and brief for Counsel, if employed	0 14 0	1 2 6	1 17 6	2 16 0
3. For attending on the hearing of the case stated, and to cover all charges incidental to the hearing, and completing and taking out the order made thereon ... ..	2 16 0	4 18 0	5 12 0	7 18 6
<i>Counsel's fees</i>				
Counsel for any party to case stated ... ..	4 4 0	6 6 0	7 7 0	8 8 0

## SECTION IV.

FEEs PAYABLE WHERE APPEAL TO A JUDGE OF ASSIZE UNDER THE COUNTY COURT APPEALS (IRELAND) ACT, 1889, IS WITHDRAWN

## A.—Equity Cases

(The value of any lands to be taken as 40 times P.L.V.)	Column 1	Column 2
	Value of subject matter not exceeding £500	Value of subject matter exceeding £500
	£ s d	£ s d
To respondent's solicitor, to cover all charges up to receipt of notice of withdrawal and for attending before the Judge of Assize and taking out an order confirming the decree of the County Court Judge—		
In the case of appeals from interlocutory orders	0 14 0	1 17 6
In the case of appeals from final orders	1 7 6	3 5 0

## B.—Probate Cases

	Where there are no lands and personalty does not exceed £500 OR where the personalty does not exceed £100 and the valuation of the lands does not exceed £30	Where there are no lands and the personalty exceeds £500 OR where the personalty does not exceed £100 and the valuation of the lands exceeds £30
	£ s d	£ s d
To respondent's solicitor, to cover all charges up to receipt of notice of withdrawal and for attending before the Judge of Assize and taking out an order confirming the decree of the County Court Judge—		
In the case of appeals from interlocutory orders	0 14 0	1 17 6
In the case of appeals from final orders	1 7 6	3 5 0

## SECTION V

FEEs PAYABLE WHERE DEFAULT MADE IN SETTING DOWN CASE STATED—ORDER LIX, RULE 85

	£ s d
To solicitor for party in whose favour the Court of first instance, or the Judge on appeal, has decided, to cover all charges incidental to the settling of the case stated, and up to the default in setting down the same	2 12 6
To solicitor for party in whose favour the Judge on appeal has decided, to cover all charges incidental to the settling of the case stated, and up to the default in setting down the same	2 12 6

SECTION VI

FEEs PAYABLE UNDER THE TOWN TENANTS (IRELAND) ACT, 1906

(1) In appeals to a Judge of the High Court, the same fees as in the County Court.

(2) In appeals to the Court of Appeal, whether or not there has been an appeal to the Judge of Assize, the same fees as in the County Court.

Where counsel shall be employed in a proceeding under section 1 of the Act, the following fees shall be payable instead of the fees payable in such cases in the county court:—

<i>Instructions for counsel's brief and attending counsel—</i>	£	s.	d.
Where the compensation recovered in the case of applicant's solicitor, or applied for in the case of respondent's solicitor			
Does not exceed £10 ... ..	0	12	6
Exceeds £10 and does not exceed £20 ... ..	1	5	0
Exceeds £20 and does not exceed £50 ... ..	1	17	6
Exceeds £50 ... ..	2	10	0
Brief of documents, for each sheet of 6 fols. ... ..	0	4	0
<i>Counsel's fees</i>			
Where the amount does not exceed £10 ... ..	1	1	0
Where it exceeds £10, but does not exceed £20 ... ..	2	2	0
Where it exceeds £20, but does not exceed £50 ... ..	3	3	0
Where the amount exceeds £50, but does not exceed £75 ... ..	4	4	0
Where the amount exceeds £75, but does not exceed £100 ... ..	5	5	0
Where it exceeds £100, but does not exceed £200 ... ..	7	7	0
Where it exceeds £200, but does not exceed £300 ... ..	8	8	0
Where it exceeds £300, but does not exceed £400 ... ..	9	9	0
Where it exceeds £400 ... ..	10	10	0

*In proceedings under Sections 3 and 4 of the Act*

The above scales shall apply, substituting for the words "compensation" etc. the words "either the Rent or Poor Law Valuation of the holding".

If the Judge of Assize or Court of Appeal be of opinion that the employment of a second counsel is reasonable, or if the hearing of the appeal shall be continued after the first day, or if, having regard to the value of the property, and the difficulty and importance of the questions involved, it shall seem just so to do, such Judge or Court may order such other sum as may seem right.



## SECTION VII

## PART I

## APPEALS FROM DECREE OF COUNTY COURT JUDGE TO JUDGE OF ASSIZE IN CASES OF CRIMINAL INJURY

## Fees of Appellant's Solicitor, exclusive of necessary outlay

Where amount	For lodging Notice of Appeal and for service of Notice of Appeal where only one party to be served and all charges preliminary to hearing of appeal	For each additional service over one	Instructions and Brief for Counsel	Attending hearing and all charges incident to the hearing and completing and taking out order	Counsel's Fees
	£ s d	£ s d	£ s d	£ s d	£ s d
(1) Does not exceed £10 ...	Judge shall allow such sum not exceeding £3 as he may think reasonable.				1 1 0
(2) Exceeds £10 but does not exceed £50 ...	2 9 0	0 2 6	1 17 6	3 10 0	2 2 0 } £10-£25 3 3 0 } £25-£50
(3) Exceeds £50 but does not exceed £200 ...	3 11 0	0 2 6	4 5 0	5 5 0	4 4 0 } £50-£75 5 5 0 } £75-£100 7 7 0 } £100-£200
(4) Exceeds £200 but does not exceed £400 ...	4 15 9	0 2 6	6 6 0	6 6 0	8 8 0 } £200-£300 9 9 0 } £300-£400
(5) Exceeds £400 ...	5 7 0	0 2 6	7 5 0	7 7 0	10 10 0

## SECTION VII

## PART I

## APPEALS FROM DECREE OF COUNTY COURT JUDGE TO JUDGE OF ASSIZE IN CASES OF CRIMINAL INJURY

## Fees of Respondent's Solicitor, exclusive of necessary outlay

Where amount	For all charges preliminary to the hearing	Instructions and Brief for Counsel	Attending hearing and all charges incident to the hearing and completing and taking out order	Counsel's Fees
	£ s d	£ s d	£ s d	£ s d
(1) Does not exceed £10 ...	Judge shall allow such sum not exceeding £3 as he may think reasonable.			1 1 0
(2) Exceeds £10 but does not exceed £50 ...	1 4 6	1 17 6	3 10 0	2 2 0 } £10-£25 3 3 0 } £25-£50
(3) Exceeds £50 but does not exceed £200 ...	1 15 6	4 5 0	5 5 0	4 4 0 } £50-£75 5 5 0 } £75-£100 7 7 0 } £100-£200
(4) Exceeds £200 but does not exceed £400 ...	2 7 6	6 6 0	6 6 0	8 8 0 } £200-£300 9 9 0 } £300-£400
(5) Exceeds £400 ...	2 13 6	7 5 0	7 7 0	10 10 0

The aforementioned costs and fees (unless otherwise ordered) shall be payable in a case where an application for compensation is refused, by and to such party or parties as the Judge of Assize may direct, according to the amount claimed; and in a case where compensation is awarded, the said costs and fees (unless otherwise ordered) shall be payable by and to such party or parties as the Judge of Assize may direct, according to the amount awarded.

---

PART II

APPEALS BY SPECIAL LEAVE OF THE JUDGE OF ASSIZE TO THE  
COURT OF APPEAL IN CASES OF CRIMINAL INJURY

**Fees of Solicitor for party obtaining leave to appeal, exclusive  
of necessary outlay**

	£	s.	d.
For lodging application for leave to appeal, and to cover all charges, incident to the settling of a case stated, and up to but not including the setting down of same ...	4	4	0
For setting down the case for hearing in the Court of Appeal, and service of notice thereof where only one party is to be served ... ..	1	8	0
For each additional service after one ... ..	0	2	6
For preparing instructions and brief for counsel ... ..	1	8	0
For attending on the hearing of the case in the Court of Appeal, and to cover all charges incident to the hearing, and completing and taking out the order ... ..	5	12	0

**Fees of Solicitor for party in whose favour the Judge on appeal  
decided, exclusive of necessary outlay**

	£	s.	d.
To cover all preliminary charges incidental to the settlement of a case stated, and up to and including the receiving of notice of the case being set down in the Court of Appeal ... ..	2	16	0
Preparing instructions and brief for counsel ... ..	1	8	0
For attending on the hearing of the case in the Court of Appeal, and to cover all charges incident to the hearing, and completing and taking out the order ... ..	5	12	0

**Counsel's fees**

	£	s.	d.
Counsel for any party to a case stated ... ..	6	6	0

SECTION VIII

**Fees payable where Appeal is withdrawn in cases of Criminal Injury**

	£	s.	d.
To the solicitor for each respondent to cover all charges up to the receipt of notice of withdrawal, and for attending before Judge of Assize, and taking out an order confirming the decree, dismissal, refusal, direction, or order of the County Court Judge:—			
Where the amount claimed does not exceed £50 ...	1	8	0
Where the amount claimed exceeds £50 ...	2	16	0

**Fees payable where default is made in setting down case stated**

	£	s.	d.
To solicitor for party in whose favour the Judge on appeal has decided, to cover all charges incident to the settling of the case stated, and up to the default in setting down the same ... ..	4	4	0

## APPENDIX S

## PART III

**Costs in Non-Contentious Probate Matters**

1. For work under the Finance Acts, including instructions, preparing and completing Inland Revenue affidavits and schedules, paying duty, and all attendances and correspondence in connection therewith:—

Such fee as may be fair and reasonable having regard to all the circumstances including:—

- (a) the complexity, importance, difficulty, rarity or urgency of the questions raised;
- (b) the value of the property passing or deemed to pass on the death;
- (c) the amount of estate duty involved;
- (d) the importance of the matter to the beneficiaries;
- (e) the skill, labour, specialised knowledge and responsibility involved therein on the part of the solicitor;
- (f) the number and importance of the documents perused; and
- (g) the time expended by the solicitor.

2. For all work in connection with the obtaining and extracting Grants of Probate or Letters of Administration of any kind (except duplicate or triplicate Probates or duplicate or triplicate Letters of Administration with or without Will annexed), or resealing Colonial Grants, including instructions, preparing all affidavits and other documents (other than Inland Revenue affidavits), and all attendances and correspondence in connection therewith, a solicitor shall be entitled to charge in accordance with the following scale:—

VALUE OF ESTATE (a)				IN RESPECT OF PROBATE AND LETTERS OF ADMINISTRATION		
				£	s.	d.
	£500 or under ...	...	...	7	0	0
Over	£500 and not exceeding	£1,000	...	13	0	0
"	£1,000	"	£2,000	20	0	0
"	£2,000	"	£3,000	25	0	0
"	£3,000	"	£5,000	28	0	0
"	£5,000	"	£10,000	35	0	0
"	£10,000	"	£15,000	40	0	0
"	£15,000	"	£20,000	45	0	0
"	£20,000	"	£30,000	50	0	0
"	£30,000	"	£40,000	60	0	0
"	£40,000	"	£50,000	70	0	0
"	£50,000	"	£60,000	75	0	0
"	£60,000	"	£70,000	85	0	0
"	£70,000	"	£80,000	95	0	0
"	£80,000	"	£90,000	105	0	0
"	£90,000	"	£100,000 (b)	115	0	0

(a) The term "value" shall mean the gross value of all the assets of the estate situate in the United Kingdom of Great Britain and Northern Ireland and unadministered. Where land is valued artificially under the Finance Acts its value shall be deemed to be fifty times the Poor Law Valuation of such land.

(b) Where the value of the estate exceeds £100,000 there may be charged, in addition to the above fee the sum of £10 0s. 0d. for every £10,000 or fraction thereof on the excess.

	£	s.	d.
3. For all work in connection with obtaining and extracting duplicate or triplicate Probates or Letters of Administration with or without will annexed (not being a grant issued simultaneously with the original grant), including instructions, preparation and completing all necessary documents, attendances and correspondence ... ..	6	10	0
4. For all work in connection with resealing a Grant of Probate or Letters of Administration with or without a will annexed in England or Scotland ... ..	5	0	0
5. For all work in connection with resealing an English or Scottish Grant of Probate or Letters of Administration with or without will annexed ... ..	7	10	0
6. For all work in obtaining exemplification of Probate or Letters of Administration with or without will annexed ... ..	4	0	0
7. For entering or subducting a caveat ... ..	1	10	0
8. For warning caveators to enter an appearance, including service ... ..	2	0	0
9. For Commissioners of the Court:— The same fees as provided in Part I of this Appendix.			

*Miscellaneous:*

Any work not hereinbefore provided for may be charged for in accordance with Part I of this Appendix.

APPENDIX S

PART IV

NOTE:—In this Part “Sheriff” shall mean and include “Under Sheriff”.

No.	ITEM	£	s.	d.
1	For the warrant issued upon any writ, process, or order by the sheriff to the bailiff whether appointed by the sheriff or the party ... .. Only one warrant shall be allowed for upon any one writ, process or order, except in cases where there shall be more than one defendant, and it shall be necessary to execute such writ, process, or order, at more than one place.	0	15	0
2	For executing a writ, process, or order of arrest, other than an order of committal, under section six of the Debtor's Act (Ireland) 1872 ... ..	2	2	0
3	And in addition there shall be allowed travelling expenses, per statute mile ... .. <i>Note:</i> The sheriff shall give credit for any or all of the above fees against any fees to which he may become entitled on executing the same writ, process, or order.	0	1	0
4	For conveying the person arrested under any writ, process, or order of arrest, from the place of arrest, to gaol, per statute mile ... ..	0	2	0

No.	ITEM	£ s. d.
5	For executing any writ, or order, under which possession is given of any land, house or tenement ... ..	7 0 0
6	For executing a writ of delivery of chattels ...	2 2 0
7	And in addition there shall be allowed travelling expenses, per statute mile ... ..	0 1 0
8	For the bailiff or bailiffs for executing the warrant or any writ, process or order ... ..	1 10 0
9	And in addition there shall be allowed travelling expenses, per statute mile ... ..	0 1 0
10	For removal of goods or animals seized to a place of safe keeping where necessary:—the expenses reasonably and necessarily incurred ... .. Only one such removal to be allowed for.	
11	For each man properly and necessarily left in possession of goods while under seizure under any writ, or process— If boarded, per day ... .. If not boarded, per day ... ..	1 0 0 1 10 0
12	For the sustenance and keep of cattle, or other animals, while under seizure under any writ or process:—the expenses reasonably and necessarily incurred ... ..	
13	For every sale by auction of chattels movable under any writ or process (to cover all expenses of sale, including auctioneer's fees, advertisements, and no fees to be charged to purchaser)— Where the purchase money does not exceed £100 Where the purchase money exceeds £100, £6 per cent. on the excess.	8 0 0
14	For any sale by auction of chattels real, under any writ or process (to cover all expenses of sale, including auctioneer's fees, and no fees to be charged to the purchaser)— Where the property sold does not produce more than £100 ... .. Where it produces more than £100 and not more than £500, £5 per cent. on the price paid by the purchaser. Where it produces more than £500 but less than £5,000, £3 per cent. on the price paid by the purchaser. Where it produces more than £5,000, £3 per cent. on the price paid by the purchaser up to £5,000 and £2 per cent. on the excess. And in addition there shall be allowed reasonable costs of advertising.	6 0 0
15	In every case where expenses have been properly incurred by a sheriff for the purpose of executing a writ, or process, if the same shall be settled, or shall be withdrawn by reason of the intervention of the Court of Bankruptcy or shall for some	

No.	ITEM	£ s. d.
	reason, other than default on the part of the sheriff or his officers, be withdrawn by the person or persons at whose instance the sheriff was required to execute the same, the sheriff shall be entitled to the expenses so properly incurred by him, to be paid by such person or persons (not exceeding what is provided therefor by this part of this Appendix) and if more than one in equal shares	
16	In every case where the execution of a writ for possession of land for non-payment of rent is stayed, by payment of the rent and costs after delivery of such writ to the sheriff, but before execution executed, the sheriff shall be entitled to the expenses properly incurred by him for the purpose of executing such writ under the foregoing provisions of this part of this Appendix and such expenses shall be added to, and be deemed part of the said costs.	
17	For lodgment of a writ of inquiry, entering the cause, and summoning the jury	0 12 0
18	Under Sheriff, for presiding at an inquisition, per hour	2 0 0
19	Bailiff, for attendance in Court during the trial of an inquisition, one sum of	1 0 0
20	For the travelling expenses of the under-sheriff from his office to the place of inquisition, per statute mile	0 1 0
21	For the travelling expenses of the bailiff from his residence to the place of inquisition, per statute mile	0 1 0
	If more than one inquisition be held, and concluded on the same day and at the same place, only one set of travelling expenses shall be allowed and shall be apportioned equally between or among the parties.	
22	For the hire of a room for holding an inquisition, where the sheriff's office, or a court-house, is not available the sum actually and reasonably paid	
23	For jury panels in civil proceedings either in Belfast or at assizes—	
	For the first	0 16 0
	For each additional copy, if required	0 1 6
24	For jury panels struck to attend before the Registrar, in an inquiry to assess damages (to include under-sheriff's attendance in the Registrar's office and all other charges):—	
	For the first	1 11 6
	For each additional copy, if required	0 1 6
25	For jury panels struck to attend any inquiry not hereinbefore provided for (to include the under-sheriff's attendance, and all other charges):—	



No.	ITEM	£	s.	d.
	For the first ... ..	3	3	0
	For each additional copy, if required ... ..	0	1	6
26	Under-sheriff for attendance with a view jury, per hour ... ..	1	11	6
27	For the travelling and other necessary expenses of the under-sheriff and jurors, on a view (including the actual cost of reasonable refreshments when necessary), the amount which shall have been actually, necessarily, and reasonably paid by the under-sheriff ... ..			
28	For filing every writ, to be paid by the person requiring a return of the writ ... ..	0	4	0
29	On every bond of indemnity, exclusive of stamps:— If one person only bound ... ..	1	0	0
	If more persons than one bound (in all) ... ..	1	10	0
30	For searching for execution and certificate of search ... ..	0	15	0
31	For perusal, approval and execution of a deed of assignment or bill of sale:— If the purchase or consideration money does not exceed £100 ... ..	1	11	6
	If it exceeds £100 ... ..	3	3	0

## APPENDIX S

## PART V

## BANKRUPTCY COSTS, etc.

No.	ITEM	£	s.	d.
1	Debtor's Summons, including all affidavits in support thereof and prior demands for payment ...	7	10	0
2	Petition of Bankruptcy, including all affidavits in support thereof and form of order of adjudication and duplicate, and general seizure warrant ...	10	0	0
3	Petition of Arrangement, including all affidavits in support thereof, affidavit required to be filed under Deeds of Arrangement Amendment Act 1890 and forms of protection order ... ..	16	0	0
4	Accounting statement when required per page	3	0	0
5	Special account or balance sheet required to be filed by the Bankrupt or the Arranging Debtor in pursuance of an order of the Court ... per item	0	0	9
6	Statement of affairs ... .. per item	0	0	9
	Subject to a minimum fee of £5 0s. 0d.			
	No allowance shall be made for any item in List G which is legally irrecoverable as being statute barred, or illegal provided that where it appears that items have been otherwise improperly inserted in List G the Taxing Master may, after inquiry, disallow such items.			

No.	ITEM	£ s. d.
	Where a short or preliminary statement of affairs and list of creditors for the use of creditors in Arrangements is filed in the office before the sitting ... .. per item Subject to a minimum fee of £3 0s. 0d.	0 0 9
7	Application to dismiss debtor's summons or show cause against adjudication, including affidavit of debtor in support ... ..	3 15 0
8	Debtor's or bankrupt's proposal or offer to his creditors in arrangements or composition after bankruptcy ... ..	2 0 0
9	Proof of debt when filed ... ..	0 15 0
10	Authority to vote when completed by creditor in favour of the proposal ... ..	0 2 6
	Items 9 and 10 include all correspondence relative to such proofs of Debt and Authorities.	
11	Certificate of the vesting of estate in assignees or trustees, including filing copy and procuring office copy and attendances to register in the Registry of Deeds (when applicable) ... ..	2 5 0
12	Summons to attend at sitting ... ..	1 5 0
13	Composition bill or note (besides stamp duty) ... ..	0 1 6
	The foregoing fees include (1) all charges for drawing, perfecting and otherwise completing, attendances on the client or other person to sign or execute, and on counsel to settle, and on any officer of the Court to issue, file, lodge, bespeak or settle, and to deliver; (2) the cost of making copies for the following purposes:—copies for use of client, counsel or solicitor (other than brief copies for counsel), copies to deliver, copies to file and copies to lodge.	
	Items 1 to 7 inclusive are discretionary fees and allowances and include—	
	(1) all charges for instructions, attendance, perusals and correspondence;	
	(2) all other allowances in respect of work and labour necessarily and properly performed up to the time when such discretionary fee is chargeable.	
	<b>PERUSALS</b>	
14	Of bankrupt's or arranging debtor's statement of affairs ... .. per item	0 0 4
15	Of bankrupt's or arranging debtor's accounting statement (when required) ... .. per item	0 0 4
16	Of messenger's report or reports ... ..	1 0 0
	The foregoing fees at items 14, 15 and 16 may be increased on special grounds or if	

No.	ITEM	£ s. d.
	the Registrar certifies that it is reasonable so to do.	
17	Of any other document not herein or in Part I of this Appendix provided for:— Such sum as the Taxing Master shall in the circumstances of the case consider just and reasonable. Where the perusal of any document herein before or in Part I mentioned is essential to the preparation of a document the fee or allowance for which is discretionary no separate charge or allowance for such perusal shall be made.	
<b>ATTENDANCES</b> (Where not included in the foregoing charges)		
18	Attending at and conducting preliminary meeting of creditors in Arrangements ... ..	3 10 0
19	Before Registrar or other officer on motion of course and for order ... ..	1 10 0
20	In Bankruptcy office for any purpose when in the opinion of the Taxing Master same should be allowed ... ..	0 15 0
21	At sitting or meeting before the Registrar when no business is transacted thereat ... ..	1 0 0
22	When business is transacted thereat per hour The fee for attendance at any sitting or meeting before the Registrar, shall include the preparation and filling up of all forms required at such sitting or meeting.	1 10 0
23	Search in Bankruptcy Office, to include requisition therefor ... .. per hour Not to be allowed unless written particulars of the search, and the stamp duty on the requests for the search, are produced. No fee for attendance on the Official Assignee shall be allowed unless the Official Assignee shall signify in writing that he considers the attendance on him proper.	1 0 0
<b>RATES OF TRAVELLING AND OTHER EXPENSES TO BE ALLOWED TO MESSENGERS AND OTHER PERSONS EMPLOYED BY THE OFFICIAL ASSIGNEE IN ANALOGOUS DUTIES</b>		
24	Messenger or Assistant Messenger:— Second-class railway fare ... .. Actual expenditure on car hire or other conveyance All other expenses, including subsistence, necessarily and properly incurred by him to be certified in the same manner as travelling expenses.	

No.	ITEM	£ s. d.
	Assistant Messenger:— For time per day, not exceeding ... ..	2 10 0
	Under this item portions of a day are to count as a day, but no time shall be allowed unless necessarily occupied in executing the warrant or in returning to Belfast after the execution thereof. No travelling expenses incurred by reason of the Messenger or Assistant Messenger residing outside Belfast shall be allowed.	
25	Man employed to assist Messenger or Assistant Messenger when necessary or if left in charge as watchman ... .. per day	1 10 0
26	Persons employed to hold possession:— In Belfast ... .. per day	1 10 0
	No travelling expenses	
	In the country ... .. per day	1 10 0
	And reasonable travelling expenses. Under special circumstances a higher rate of remuneration may be allowed by the Registrar.	
<b>ACCOUNTANTS' CHARGES</b>		
27	For investigating and preparing accounts, balance sheets, reports, etc.:— Principal's time each day of seven hours or such further sum as the Court may sanction in exceptional circumstances ... ..	9 9 0
	Clerk or assistant's time each day of seven hours	3 3 0
	Fractional portions of a day to be allowed in proportion ... ..	
	These charges are to include stationery and the vouching affidavit. The item is to be vouched by the affidavit of the accountant in the prescribed form, and shall also be further vouched in such manner as the officer may consider necessary. Charges for an accountant shall not be allowed or paid out of the estate of any bankrupt or arranging debtor without an order of the Court.	
<b>SHORTHAND WRITERS</b>		
28	The same fees as provided by Rule 57 of Order LXV The time in every case to be certified by the Registrar at the close of the day. The transcript is not to be made except when specially required, but the original note is, in all cases, to be filed in the office of the Court.	
<b>REGULATIONS</b>		
	(1) In respect of any work not herein provided for the same shall be charged for in accordance with Part I of this Appendix, subject to the provision of Rules 102 to 110 inclusive of Order 88 and these regulations.	

No.	ITEM	£ s. d.
	<p>(2) A copy of the bankrupt's statement of affairs or balance sheet shall not be allowed in brief or case for counsel but a copy on the printed forms (printed matter not to be charged), or so much thereof as shall be required, may be sent with brief or case. If the solicitor has taken out an office copy the same should be sent to counsel.</p> <p>(3) Where the solicitor for the assignees, or trustees, shall be directed to apply for payment of debts due to the estate, the allowance of fees for correspondence, receipts and attendances, shall be such sum as the Registrar or other officer shall deem just and reasonable, regard being had to the number of such debtors and the result of the applications in the matter.</p> <p>(4) A consultation or conference with counsel shall not be allowed against the estate without the previous order of the Court.</p> <p>(5) The costs of a case to counsel (except case to advise proofs) shall not be allowed against the estate without the previous order of the Court.</p> <p>(6) Where any charge is only allowable as between solicitor and client the same shall not be allowed against the Bankrupt's or Arranging Debtor's Estate without the express order of the Court.</p> <p>(7) Expenses out of the estate shall not be allowed in respect of any person summoned as a witness, but not examined, without an order of the Court. A professional fee shall not be allowed without an order of the Court.</p> <p>(8) As to attendance before the Court or the Registrar, a higher fee than that hereinbefore provided may be ordered by the Court or the Registrar as the case may be.</p>	

### WINTER ASSIZE

### The Northern Ireland Winter Assize Order, 1958

1958. No. 166

[NC]

This Order in Council was in operation from 1st November, 1958 to 14th February, 1959 and is not printed at length in this volume.