



Government Gazette

OF

WESTERN AUSTRALIA

(Published by Authority at 4.30 p.m.)

(REGISTERED AT THE GENERAL POST OFFICE, PERTH, FOR TRANSMISSION BY POST AS A NEWSPAPER.)

No. 85]

PERTH : MONDAY, 30th SEPTEMBER.

[1957.

LOCAL COURTS ACT, 1904-1954.

Crown Law Department,
Perth, 18th September, 1957.

Ex. Co. No. 1809.

HIS Excellency the Lieutenant-Governor in Executive Council, acting pursuant to the provisions of the Local Courts Act, 1904-1954, has been pleased to make the rules of court set out in the Schedule hereunder.

R. C. GREEN,
Under Secretary for Law.

Schedule.

Rules of Court.

1. The Local Court Rules, 1923, made under the provisions of the Local Courts Act, 1904, as published in the *Government Gazette* on the 22nd May, 1923, and amended from time to time thereafter by notices published in the *Government Gazette*, are referred to in these rules as the principal rules.
2. Order V, rule 17 of the principal rules is amended by substituting for the words "reasonable sum" in the penultimate line of the second paragraph the words "similar fee."
3. Order XXXVII, rule 1 of the principal rules is amended—
 - (a) by adding after the rule number "1" the subrule number "(1)";
 - (b) by substituting for all the words after the word "allowed" in line two the following passage:— "in accordance with the appropriate scale for the time being specified in Part III of the Appendix";
 - (c) by adding subrules as follows:—
 - (2) (a) For the purposes of this rule Scales of Costs are classified in Part III of the Appendix as follows:—
 - (i) Scale A—Where the sum recovered in, or the subject matter of, the action or matter before the court does not exceed £20;
 - (ii) Scale B—Where the sum recovered in, or the subject matter of, the action or matter before the court exceeds £20 but does not exceed £50;
 - (iii) Scale C—where the sum recovered in, or the subject matter of, the action or matter before the court exceeds £50 but does not exceed £100;
 - (iv) Scale D—Where the sum recovered in, or the subject matter of, the action or matter before the court exceeds £100;
 - (v) Scale E—Special Scale which shall be awarded in accordance with paragraph (b) of this subrule.
 - (b) Costs in accordance with the Special Scale shall be allowed only where the court orders upon application at the trial, that by reason of the complexity of the law, or of the issues or of the facts, or for some other special reason, which shall be stated in the order, costs in accordance with that Scale shall be allowed.

(c) Where an application for an order for costs in accordance with the Special Scale is made, the party against whom the order is sought is entitled to be heard in reply to the application.

(3) Notwithstanding that the sum recovered in, or the subject matter of, an action or matter before the court falls within the classification of Scale A, or B, or C, or D, the court may award to any party costs on any of those scales, other than the scale within which that sum or subject matter falls, and costs so ordered shall be taxed and allowed accordingly.

4. Order XXXVII of the principal rules is amended by deleting rules 18A and 22A.

5. The Appendix to the principal rules is amended by substituting for Part III the following Part:—

PART III.
DIVISION I.

LOCAL COURT SCALES OF COSTS.

	When the Sum recovered or the Subject Matter—				
	Does not exceed £20. A.	Exceeds £20 and does not exceed £50. B.	Exceeds £50 and does not exceed £100. C.	Exceeds £100 D.	Special Scale. E.
Higher Scale.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1. Preparing particulars of claim or counter claim, where the claim is a liquidated demand including necessary copies; provided that such particulars and copies are signed pursuant to Order V, Rule 25	8 0	14 0	1 0 0	2 0 0	3 0 0
PLAINT, PARTICULARS AND SUMMONSES.					
Preparing particulars of claim or counter claim, where the claim is a liquidated demand including necessary copies; provided that such particulars and copies are signed pursuant to Order V, Rule 25					

2. The like in all other claims	12 0	1 4 0	2 2 0	4 4 0	6 6 0
3. Drawing Petition, per folio	2 0	2 0	2 0	2 0	2 0
4. Not exceeding, except by Order of the Magistrate	1 0 0	2 10 0	2 10 0	5 0 0	7 10 0
5. Preparing further particulars, when same required by defendant under Order V, Rule 23, or by plaintiff under Order XI, Rule 16, including copy to file	4 0	6 0	10 0	1 0 0	1 10 0
6. Or per folio	1 4	1 4	2 0	2 0	2 0
7. Summons to Witness, including attending for leave to serve and sealing	...	6 0	10 0	10 0	10 0
8. Or per folio beyond four	...	...	1 4	2 0	2 0
9. Summons in Chambers, including sealing copy to file and one for service	...	6 0	6 0	12 0	18 0
NOTICES.					
7. Preparing notice to produce or admit, or to admit facts, and one copy	6 0	8 0	10 0	1 0 0	1 10 0
8. If special, or necessarily long, such allowance as the Clerk shall think proper, not exceeding per folio	...	1 4	1 4	2 0	2 0
9. For preparing notice of motion to the Court, including copies to file and serve	8 0	10 0	12 0	1 4 0	1 16 0
10. If necessarily exceeding five folios, at per folio, including copies to file and serve	...	2 0	2 0	2 0	2 0
11. For preparing notice of any application to Magistrate or Clerk when required, not being <i>ex parte</i> , including copies to file and serve	...	6 0	10 0	1 0 0	1 10 0
12. For preparing any other necessary or proper notice, or demand not otherwise provided for, including copies to file and serve	...	3 0	3 0	6 0	9 0
13. Or if special, and necessarily exceeding three folios, there may be allowed in the Clerk's discretion for each folio beyond three, including copy to file	...	2 0	2 0	2 0	2 0
SERVICE.					
14. <i>Note.</i> —Where any two or more summonses, orders, notices or demands, have or could have been served together, one fee only for service is to be allowed. Service of a summons (not being a Judgment Summons), Order, notice, or document required, by statute or rule or by order to be served personally including copy	...	...	...	...	...
15. Mileage for service	...	...	...	...	...
16. When substituted service ordered, in addition, to include all costs of attendances, making appointment to serve, drawing, engrossing, attending to swear, and to file all affidavits, and the fees paid for oath, and obtaining order, not exceeding	...	...	...	...	...
17. Service of any summons, order, notice, or demand if not authorised to be served by post	1 0 0	2 0 0	2 10 0	3 15 0	5 0 0
18. If authorised to be served by post	...	5 0	5 0	5 0	5 0
...	...	3 0	3 0	3 0	3 0

Same as Bailiffs' fees for similar service as prescribed in Part II of this Appendix.

Same as mileage payable to Bailiff as prescribed in Part II of this Appendix.

PART III—continued.

DIVISION I—continued.

LOCAL COURT SCALES OF COSTS.

	When the Sum recovered or the Subject Matter—				
	Does not exceed £20. A.	Exceeds £20 and does not exceed £50. B.	Exceeds £50 and does not exceed £100. C.	Exceeds £100 D.	Special Scale. E.
Higher Scale.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
19. To sue or defend, or to prefer or claim in interpleader proceedings, or for a petition, or for a garnishee summons	6 8	13 4	1 6 8	2 13 4	4 0 0
20. For counterclaim	6 8	13 4	1 6 8	2 13 4	4 0 0
21. For interrogatories	6 8	13 4	13 4	1 6 8	2 0 0
22. For special affidavits	6 8	13 4	13 4	1 6 8	2 0 0
<i>Note.</i> —The charge for special affidavits is not to be allowed, if in the opinion of the clerk the facts upon which the affidavits are founded had already become known to the solicitor or his clerks in course of the business.					
23. For confession of debt or claim by defendant, and attesting signature thereto	...	13 4	13 4	13 4	13 4
24. For application to add parties	6 8	13 4	1 6 8	2 0 0	...
25. For brief on interlocutory motion or application where counsel allowed	...	13 4	13 4	1 6 8	2 0 0
26. For brief on trial of action or matter where counsel employed, such fee as the clerk may think fit having regard to all the circumstances of the case	...	1 1 0	2 2 0	6 6 0	15 15 0
26a. On assessment of damages only where counsel employed. (Unless otherwise ordered by the Magistrate)	...	3 3 0	6 6 0	21 0 0	31 10 0
27. Examining and taking minutes of evidence where no counsel employed, for each witness afterwards allowed on taxation	...	10 6	1 1 0	3 3 0	7 17 6
28. If exceeding six folios, for each additional folio	...	1 11 6	3 3 0	10 10 0	15 15 0
	4 0	6 8	13 4	1 6 8	2 0 0
	1 0	2 0	2 0	2 0	2 0

29. (a) In actions under section thirty-nine, or remitted from the Supreme Court, where no counsel employed, if the Magistrate so orders, in addition to items 27 or 28, for preparation of minutes of facts or argument	....	2 2 0	4 4 0	....	....
(b) In actions under section thirty-nine, or remitted from the Supreme Court, where no counsel employed, if the Magistrate so orders, in addition to items 27 or 28, for preparation of minutes of facts or argument—not exceeding	....	....	....	8 8 0	12 12 0
DRAWING.					
<i>Note.</i> —The matter of all documents should be necessary and relevant and expressed without prolixity, and the costs of all unnecessary, irrelevant, and prolix matter must be disallowed.					
30. Notice and particulars of special defence or admission of facts, including necessary copies	6 0	10 0	13 4	1 6 8	2 0 0
31. Draft of Order under Order XIII, Rule 8, including copy to file	6 0	10 0	1 0 0	1 10 0	2 0 0
32. Brief on trial of action or matter where counsel employed including necessary and proper observations, per folio	2 0	1 4	1 4	2 0	2 0
	not exceeding £1 0 0	2 0	2 0	2 0	2 0
33. Brief on any motion, application, or upon further consideration when counsel allowed by Magistrate	....	13 4	13 4	1 6 8	2 0 0
34. Affidavit of documents, or any other special affidavit, including engrossing Or, per folio	5 0	10 0	1 6 8	2 13 4	4 0 0
35. Affidavit of Debt, Order XXVII, including engrossing, attending deponent to be sworn, oath, and filing	1 0	2 0	10 0	1 0 0	1 10 0
36. Affidavit justifying choice of Court Or, per folio	8 0	13 4	13 4	1 6 8	2 0 0
37. Affidavit, when required, of service of a summons, notice, or document, including engrossing, attending to be sworn, oath and filing	13 4	13 4	13 4	1 6 8	2 0 0
38. Affidavit, when required, of service of summons to witness or of any notice under Order XIX, Rule 8, of any admission of facts or documents, including engrossing, attending to be sworn, oath, and to file	1 0	2 0	2 0	2 0	2 0
39. Accounts, statements and other documents for use in Chambers when required, or in court when required by Magistrate, including fair copy to leave, per folio	5 0	6 0	8 0	8 0	8 0
40. Bill of costs of taxation, including copy for clerk per folio	4 0	4 0	6 8	8 0	8 0
41. Interrogatories or answers thereto including copy to file Or, per folio	....	1 4	1 4	2 0	2 0
	8	1 0	1 4	2 0	2 0
	5 0	10 0	13 4	1 6 8	2 0 0
	1 0	2 0	2 0	2 0	2 0

PART III—continued.
DIVISION I—continued.

LOCAL COURT SCALES OF COSTS.

Higher Scale.	When the Sum recovered or the Subject Matter—				
	Does not exceed £20.	Exceeds £20 and does not exceed £50.	Exceeds £50 and does not exceed £100.	Exceeds £100	Special Scale.
	A.	B.	C.	D.	E.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
	8	8	8	1 0	1 0
	...	8	8	1 0	1 0
	...	6	6	6	6
	...	6 8	13 4	1 6 8	2 0 0
	...	8	8	1 0	1 0
	...	6 8	13 4	1 6 8	2 0 0
	...	8	8	1 0	1 0
	...	5 0	10 0	1 0 0	1 10 0
	...	6 8	13 4	1 6 8	2 0 0

COPIES.
Note.—No copies are to be allowed for unless the Clerk is satisfied that they were necessary, and that copies previously prepared were not available.

42. Of necessary documents to accompany brief, or for use in Court when Counsel not employed, per folio

43. Where no provision is made herein that the fee for preparing, drawing, or serving any document is to include copies thereof, for each copy the clerk may consider necessary (first copy)—per folio
Carbon copies

PERUSALS.

44. Of particulars of claim or counterclaim, further particulars delivered under Order V., Rule 23, or defence or special defence by the solicitor of the party to whom the same are delivered
Or per folio

45. Of any petition
Or per folio

46. Of notice to produce or admit or to admit facts by the Solicitor of the party served

47. Of notice of defendant's claim against any person not a party to the action, under Order XII.

48.	Of any claim, defence or counterclaim, when served on a person not originally a party to the action, by the solicitor of the party served therewith	6 8 8	13 4 8	1 6 8	2 0 0
	Or per folio	8	8	1 0	1 0
49.	Of other special affidavits by the solicitor of the party against whom the same can be read, per folio	6 8 8	13 4 8	1 6 8	2 0 0
50.	Draft of special order or judgment when prepared by clerk	6 8 8	8	1 0	1 0
	Or per folio	13 4	13 4 8	1 0	1 0
51.	Of interrogatories by the solicitor of the party by whom the same are to be answered	9 0	13 4 8	1 6 8	2 0 0
	Or per folio	8	8	1 0	1 0
52.	Of affidavit in answer to interrogatories by the solicitor of the party interrogating, per folio	8	8	1 0	1 0
ATTENDANCES.					
<i>Note.</i> —More than one attendance at the office of the clerk in an action or matter shall not be allowed, unless the clerk on taxation is satisfied that each separate attendance was necessary.					
53.	To enter plaint, or file petition, including filling up Praecipe, obtaining any necessary leave from the clerk, or giving proper undertaking prior to such entry or filing	6 8	13 4	13 4	13 4
54.	To deliver or file any counterclaim, special defence, further particulars, answers to interrogatories, admission of facts, affidavit of documents, or particulars of claim in interpleader proceedings	6 8	6 8	6 8	6 8
55.	To lodge order, etc., when action or matter remitted or transferred to Local Court, including preparing all necessary documents	1 6 8	1 6 8	1 6 8	1 6 8
56.	To inspect, or produce for inspection, documents pursuant to a notice to admit, or pursuant to any order or a notice under any rule	6 8	13 4	1 0 0	1 0 0
	Or per hour	13 4	13 4	1 0 0	1 0 0
<i>Note.</i> —This item is not to be allowed, unless it is shown to the satisfaction of the clerk that there were good and sufficient reasons for giving the notice and making the inspection.					
57.	Where solicitor inspecting does not reside or carry on business within two miles of place of inspection, in addition sum paid for locomotion not exceeding	2 0 0	2 0 0	2 0 0	2 0 0
58.	To obtain or give any necessary or proper consent or admission	6 8	13 4	1 0 0	1 0 0
59.	On examination of a witness before the clerk or an examiner, or under Order XXVI., Rule 73, under Order XIX., per hour	13 4	1 0 0	1 10 0	1 10 0
60.	On deponents being sworn, or by a solicitor or his clerk to be sworn to any special affidavit	4 0	13 4	13 4	13 4
61.	To enter up judgment by default or to set down action for assessment of damages or value	6 8	6 8	13 4	1 0 0

PART III—continued.
DIVISION I—continued.
LOCAL COURT SCALES OF COSTS.

	When the Sum recovered or the Subject Matter—				
	Higher Scale.				
	A.	B.	C.	D.	E.
	Does not exceed £20.	Exceeds £20 and does not exceed £50.	Exceeds £50 and does not exceed £100.	Exceeds £100.	Special Scale.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
62. ATTENDANCES—continued, Where in consequence of anything done by the opposite party during the progress of an action or matter, it becomes necessary to advise or receive instructions from a client, for each attendance the clerk may deem absolutely necessary	10 0 to 1 0 0	13 4 13 4 to 1 6 8	13 4 1 0 0 to 2 2 0	13 4 2 0 0 to 1 6 8	13 4 3 0 0 to 6 6 0
63. To make or oppose any interlocutory application or motion before the magistrate in Court, or in chambers, without counsel, if certified by the magistrate	6 8	13 4	1 0 0	2 0 0	3 0 0
64. The like with counsel	4 0	6 8	13 4	1 6 8	2 0 0
65. On any interlocutory application to the clerk	6 8	6 8	13 4	1 6 8	2 0 0
66. On counsel with brief	....	13 4	1 6 8	2 2 0	3 3 0
67. To appoint conference and attending thereon	....	4 4 0	6 6 0	10 10 0	12 12 0
68. At Court, conducting cause without counsel, per day (or proportionately for part of a day)	1 10 0	6 6 0	10 10 0	12 12 0	21 0 0
Note.—The minimum must not be exceeded if the action is undefended, or there is no real contest.					
69. At Court on trial with counsel	1 0 0	1 10 0	2 2 0	3 3 0	4 4 0
This item to be allowed only if ordered by Court.					
Note.—The minimum must not be exceeded if the cause is undefended, or there is no real contest, nor if the solicitor does not attend in person.					

70.	Where trial is commenced but not concluded, on the days on which it is first heard, for each day or part of a day on which it is afterwards heard, with or without counsel	1 0 0	{ 1 10 0 to 2 2 0	2 2 0 to 4 4 0	3 3 0 to 8 8 0	4 4 0 to 12 12 0
71.	Where the trial is adjourned for want of time, or upon payment of the costs of the day, in lieu of Items 68 and 69 there may be allowed with or without counsel	1 0 0	{ 1 10 0 to 2 2 0	2 2 0 to 4 4 0	3 3 0 to 8 8 0	4 4 0 to 12 12 0
72.	This item to be allowed only if ordered by Court. <i>Note.</i> —The minimum must not be exceeded, under Items 70 and 71, if the solicitor does not attend in person.	10 0	1 0 0	1 0 0	2 0 0	3 0 0
73.	At court where the amount claimed is paid into Court or the action is withdrawn or discontinued less than three clear days before return day	....	13 4	13 4	1 6 8	2 0 0
74.	Where in ordinary course of post or delivery, notice of payment, withdrawal, or discontinuance does not reach the opposite party or his solicitor in time to prevent attendance of the latter at Court, such sum as the clerk shall think reasonable, not exceeding the minimum fee in Items 68 and 69, as the case may be.	1 10 0	2 2 0	{ 2 2 0 to 4 4 0	4 4 0 to 8 8 0	6 6 0 to 12 12 0
75.	To hear a deferred judgment	1 0 0	1 10 0	2 2 0	4 4 0	6 6 0
76.	Before an arbitrator, for each sitting	10 0	13 4	{ 1 0 0 to 13 4	2 0 0	3 0 0
77.	The like with counsel, for each sitting	6 8	13 4	{ 13 4 to 1 6 8	1 6 8	1 13 4
78.	Where sitting exceeds three hours, for every additional hour (with or without Counsel)	....	{ 6 8 to 13 4	13 4	1 6 8	1 6 8
79.	On taxation of the costs of the action or matter after trial or hearing	....	8 0	13 4	1 6 8	1 13 4
80.	Any other attendance upon the magistrate or clerk, or at clerk's office, or upon the opposite party, or upon the bailiff in interpleader proceedings not otherwise provided for which the clerk may deem to have been absolutely necessary, and not for a purpose which could have been effected at any previous or subsequent attendance allowed	....	....	....	....	....
80a.	On taxation of any other costs allowed by order of magistrate, where such taxation necessarily takes place at some time other than at the time the order giving the costs sought to be taxed was made, to include drawing bill, copies, notice, and service	....	....	....	....	....
	Where a solicitor or counsel necessarily attends before the magistrate or an arbitrator sitting more than 20 miles from his place of business there may be allowed for locomotion maintenance and the additional time occupied a fee (unless increased by the magistrate or arbitrator), not exceeding	....	....	....	10 10 0	15 15 0

PART III—continued.

DIVISION I—continued.

LOCAL COURT SCALES OF COSTS.

	When the Sum recovered or the Subject Matter—				
	Does not exceed £20. A.	Exceeds £20 and does not exceed £50. B.	Exceeds £50 and does not exceed £100. C.	Exceeds £100 D.	Special Scale. E.
Higher Scale.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
	4 9 0	6 11 0	11 0 0	21 0 0	31 10 0
	2 4 6	3 5 6	5 10 0	10 10 0	15 15 0
	...	2 12 0	2 12 0	3 3 0	4 4 0
	2 7 0	2 7 0	4 9 0	5 5 0	7 7 0
	1 1 0	4 9 0	6 11 0	12 12 0	18 18 0
		1 11 6	2 2 0	3 3 0	4 4 0

FEEES TO COUNSEL.
Note.—Fees to counsel are not to be allowed unless the payment of them is vouched by the signature of counsel.
 81. (a) With brief, sum paid not to exceed
 But
 (b) On assessment of damages only (unless otherwise ordered by the Magistrate) not to exceed
Note.—The maximum is not to be allowed as a matter of course, but in assessing the fee to be allowed, the length of the brief, the documents (if any) to be perused and considered, the number of witnesses, the difficulties of fact or law involved, the time occupied by the trial or hearing, the sum involved and the importance of the case, must be considered.
 82. On conference, if the fee was marked on the brief when delivered
Note.—This item is not to be allowed unless certified by the magistrate and is not to be allowed to the practitioner or his partner acting as counsel.
 83. Where the trial is commenced but not concluded on the day on which it is first heard, or is adjourned for want of time, for each day or part of a day on which it is afterwards heard, a refresher may be allowed, unless the magistrate otherwise orders
 83a. Fee to counsel to hear deferred judgment

84. Where trial is adjourned upon payment of the costs of the day there may be allowed as part of such costs	2 7 0	{ 2 7 0 to 4 9 0	4 9 0	5 5 0	7 7 0
		{ 2 7 0 to 4 9 0	6 11 0	12 12 0	18 18 0
85. With brief on further consideration or argument	2 7 0	{ 2 7 0 to 4 9 0	4 9 0	5 5 0	7 7 0
		{ 4 9 0 to 6 11 0	6 11 0	12 12 0	18 18 0
86. With brief on any interlocutory motion or application if magistrate certifies for counsel such fee as is certified by the magistrate not exceeding	...	2 7 0	4 9 0	8 8 0	12 12 0
87. With brief before an arbitrator, or on an inquiry, or on an examination of witnesses, if magistrate certifies for counsel, not exceeding	...	4 9 0	6 11 0	12 12 0	18 18 0
<i>Note.</i> —This fee is not to be allowed if the reference or inquiry was directed at the trial, and counsel was then instructed. A refresher may be allowed instead, pursuant to Item 83.					
PLANS, MODELS, ETC.					
88. Plans, charts, or models for use of magistrate at trial, if allowed by order of magistrate, not exceeding in the whole	2 2 0	4 4 0	6 6 0	12 12 0	18 18 0
LETTERS, ETC.					
89. Letter before action	7 0	7 0	7 0	14 0	1 1 0
90. Letters in lieu of attendance which could be properly allowed under item 62 or 79	...	7 0	7 0	14 0	1 1 0
91. Circular letters	...	2 0	2 0	2 0	2 0
92. Cost for searches for Certificates of births, marriages, and deaths, and payment therefor, and other disbursements in relation to procuring office copies or other documentary evidence not otherwise provided for, which the clerk may, upon taxation, think necessary and proper	...	...	...	...	...
93. Oaths	...	...	...	...	...
94. In addition to the above, an allowance may be made for the necessary expenses of postages, carriage, and transmission of documents, not exceeding	...	10 0	1 0 0	2 0 0	2 0 0
EXECUTION.					
95. There shall be allowed to the solicitor for the party issuing execution (against goods and/or land under Part VIII of the Local Courts Act, 1904 as amended) the undermentioned amounts, which shall be added to the amount of the judgment or order and levied by the bailiff under the warrant of execution. For searching at the Deeds Registry, Land Titles Office, or the Department of Lands and Surveys or Mines, in addition to fees paid for searches	1 0 0	1 0 0	1 0 0	1 10 0	2 0 0

(such sums as the clerk shall deem reasonable).
Actual sums paid, unless otherwise provided for.

PART III—continued.

DIVISION I—continued.

LOCAL COURT SCALES OF COSTS.

	When the Sum recovered or the Subject Matter—				
	Does not exceed £20.	Exceeds £20 and does not exceed £50.	Exceeds £50 and does not exceed £100.	Exceeds £100	Special Scale.
	A.	B.	C.	D.	E.
Higher Scale.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
96. EXECUTION—continued, For preparing copy warrant of execution and complying with Section 125 of the Act in addition to fees paid thereon Note.—The allowances under items 95 and 96 shall only be payable in cases where, on search being made, land belonging to the judgment debtor is found registered in his name.	1 10 0	1 10 0	1 10 0	3 0 0	3 0 0
97. Praecipe for warrant of execution against goods and/or land—Attending to issue and all other attendances on clerk and bailiff	...	13 4	1 6 8	2 0 0	3 0 0
98. EXAMINATION IN AID OF EXECUTION. Motion Order and attending and conducting examination inclusive of all incidental attendances	...	13 4	1 6 8	2 0 0	3 0 0
99. JUDGMENT SUMMONS. Praecipe for judgment summons and all incidental attendances including issuing judgment summons and conducting examination.	...	13 4	1 6 8	2 0 0	3 0 0

DIVISION 2.

Allowances to Witnesses.

1. Professional persons, merchants, bankers, certificated accountants (carrying on business as principals), dentists, surveyors and the like, per diem, from	£ s. d.	£ s. d.
.....	1 1 0	to 3 3 0
2. All other witnesses over the age of 17 years, ordinarily in receipt of salary or wages, or who carry on business as principals, per diem, from	10 0	to 1 10 0
3. Expert and scientific witnesses attending to give evidence strictly as experts—	If Costs taxed on Scales B, C or D. £ s. d.	If Costs allowed in accordance with Scale E. £ s. d.
For qualifying to give evidence (if allowed) a qualifying fee of such amount as may be certified by the Magistrate or Clerk to be fair and reasonable, but not exceeding £1 1s. per hour engaged in work undertaken to prepare for giving evidence, with a maximum allowance of	2 2 0	3 3 0
Attending Court on trial, per diem....	An amount fixed in accordance with Item 1 of this Scale.	
4. Persons not coming within any of the above descriptions, per diem	£ s. d.	£ s. d.
5. Travelling Expenses—	5 0	to 15 0

- (a) Witnesses are to be allowed a refund of travelling expenses suitable to their station if able to travel by public conveyance.
- (b) Where no public conveyance is available or in the case of medical practitioners using their own motor cars, witnesses are to be allowed one shilling per mile beyond two miles from the Court House, calculated one way only : Provided that when more than one witness travels in the same conveyance only one mileage allowance shall be payable.

Approved by His Excellency the Governor in Executive Council, 18th September, 1957.

(Sgd.) R. H. DOIG,
Clerk of the Council.