

for causes exceeding that amount. In all cases the Sheriff may appoint that expenses shall be subject to modification.

II. (1) The scale for taxation shall in the ordinary case be determined by the principal sum concluded for, but in all cases it shall be competent to the Sheriff to direct that the expenses shall be taxed according to the scale applicable to the amount decerned for. (2) In cases where the principal sum concluded for does not exceed £50 it shall be competent to the Sheriff to direct taxation on the higher scale, if he shall be of opinion that such sum does not truly represent the nature and importance of the cause. (3) In actions of damages, the scale for taxation of the account between party and party shall for the pursuer's Agent be regulated by the sum decerned for, unless the Sheriff shall otherwise direct. (4) Where the demand made does not exceed the value which may be competently concluded for in the Small Debt Court, Small Debt expenses only shall be allowed, unless the Sheriff shall otherwise appoint. (5) Where the principal amount decerned for does not exceed £20 the Sheriff may allow Small Debt expenses only.

III. In jury trials, mercantile sequestrations, cessio proceedings, and executry business, there shall be one scale of taxation only, unless where otherwise hereinafter stated.

IV. In ordinary removings and ejections the scale of expenses shall be determined by the amount of the rent per annum. When the rent is not set forth as exceeding £50, the charges shall be according to Scale I.

V. In all actions where the pecuniary amount or value of the question in dispute cannot be ascertained from the process, the Sheriff shall determine according to which scale the account shall be taxed.

VI. In causes of great importance, or requiring much special preparation, it shall be in the discretion of the Sheriff to allow for a debate a higher fee than is allowed in the Table, but not exceeding £7, 7s.; and that either by a direction in the interlocutor disposing of the cause, or by a special interlocutor following on a motion by the party found entitled to expenses. Where such fee is allowed, a similar fee shall be chargeable by each Agent in the cause against his own client.

VII. In the Small Debt Court there shall be only one scale of taxation. When a case is remitted from the Small Debt to the Ordinary Court the fees thereafter chargeable by the Agents shall be as specified in Scale I. of the Ordinary Court expenses.

VIII. This Table of Fees shall regulate the taxation of accounts, as well between Agent and client as between party and party, but with this distinction, that where, as between party and party, general charges of limited amount, such as "Taking Instructions" at the commencement of a case, "Instructions for Precognition," and "Process Fee" only are stated, it shall be in the option of the Agent, as against his client, to substitute for these general fees detailed charges for all necessary business in connection with the case, the rates of charge being regulated by this Table.

IX. The expenses to be charged against an opposite party shall be limited to proper expenses of process, without any allowance (beyond that specified in the Table) for preliminary investigations, subject to this proviso, that precognitions, plans, analyses, reports, and the like (so far as relevant and necessary for proof of the matters in the record between the parties), although taken or made before the raising of an action or the preparation of defences, or before proof is allowed, and although the case may not proceed to trial or proof, may be allowed where eventually an interlocutor allowing a proof shall be pronounced.

X. In order that the expenses of litigation may be kept within proper and reasonable limits, only such expenses shall be allowed, in taxing accounts between party and party, as are necessary for conducting it in a proper manner, with due regard to economy. And it shall be competent to the Sheriff to disallow all charges for papers or parts of papers or particular procedure or agency which he shall judge irregular or unnecessary.

XI. Notwithstanding that a party shall be found entitled to expenses generally, yet if, on the taxation of the account, it shall appear that there is any particular part of the litigation in which such party has proved unsuccessful, or that any part of the expense has been occasioned through his own fault, he shall not be allowed the expense of such parts of the proceedings.

XII. Whenever an Agent on one side attends any diet of proof, or debate, or any meeting ordered by the Sheriff, and the other is absent, or not prepared to proceed, the Sheriff shall have power to decern against the opposite party for payment of such expenses as the Sheriff may consider reasonable. If an Appeal be abandoned, or any debate on preliminary pleas or otherwise ordered by the Sheriff be departed from by any party, and notice to that effect be given to the opposite party at least three lawful days before the date fixed for the hearing, no debate fee shall be allowed; but, failing such notice, a debate fee shall be allowed to the respondent's or other party's Agent equal to one-half of the fee which would have been allowed had the debate proceeded.

XIII. When a remit shall be made by the Court regarding matters in the record between the parties to an accountant, engineer, or other reporter, the Agents shall not, without special agreement, be personally responsible to the reporter for his remuneration, the parties alone being liable.