



SUPPLEMENT

TO

The London Gazette

Of FRIDAY, the 28th of DECEMBER.

Published by Authority.

FRIDAY, DECEMBER 28, 1883.

THE Lord Chancellor, with the concurrence of the Treasury, has appointed the following Table of Fees to be paid on proceedings under "The Bankruptcy Act, 1883."

SCALE OF SOLICITOR'S COSTS.

Petitioning Creditor's Bill of Costs to the Issue of Receiving Order.

	£	s.	d.
Instructions for petition	1	0	0
Examining witnesses as to act of bankruptcy	0	10	0
Examining particulars of petitioning creditor's account	0	6	8
<p>The act of bankruptcy being a declaration admitting inability to pay, filed by the solicitor to the petitioner, or an assignment prepared by the solicitor to the petitioner, or default made upon a Bankruptcy notice issued by the solicitor to the petitioner, these two last charges will not be allowed. The expense of an assignment will not be allowed where a declaration of inability would answer the purpose.</p>			
<p>If solicitor reside at a distance :—</p>			
Writing agent to search for prior petition		3s.	6d.
Agent's writing result of search		3s.	6d.
Searching, if prior petition filed	0	7	8
Drawing bankruptcy petition, including order for hearing	0	10	0
<p>Ingrossing same, 4d. per folio only to be allowed where the petition exceeds seven folios.</p>			
Paid for stamp	5	0	0
Attesting signature of each petitioner, except in case of partnership	0	6	8
Drawing and fair copy affidavit verifying petition	0	3	4
Attending petitioner to be sworn	0	6	8
Paid oath (if paid)			
<p>Two copies of petition for sealing, 4d. per folio.</p>			
Preparing subpoena and serving witnesses, or arranging with witnesses for their attendance on presentation of petition	0	13	4
Paid them			
<p>See Witnesses' Scale. Petitioning creditor is not to be regarded as a witness, and is not to be paid for loss of time; he may claim his expenses of travelling and subsistence.</p>			
Attending on presentation of petition when court investigated statements therein, and clerk	1	0	0
<p>One fee only for attending will be allowed, unless by direction of the court at the time, and a memorandum of its allowance produced to the taxing officer.</p>			
Drawing order for hearing of petition	0	3	4
Service of Petition (see General Rules)			
Attending court on hearing (where debtor does not appear or dispute)	0	10	0
<p><i>Debtors' Bill of Costs where Debtor petitions.</i></p>			
Instructions for petition	1	0	0
Drawing and attesting petition	0	13	4
Paid stamp	5	0	0
Attending filing	0	6	8

Where Act of Bankruptcy the filing a Declaration of Inability to Pay.

	£	s.	d.
Drawing and attesting declaration of inability to pay	0	13	4
Paid stamp	0	5	1
Attending filing	0	6	8

Cost of Bankruptcy Notice.

Instructions for, and preparing notice	0	6	8
Preparing request for issue	0	6	8
Attending filing	0	6	8
Paid for office copy	0	6	8
Notice and two fair copies	0	6	8
Attending sealing notice, copies	0	6	8
Paid stamp	0	5	0
Service of notice	0	5	0
Attending court on hearing of notice	0	13	4

Costs where the Debtor is required by the Court to enter into a Bond.

Attending making inquiries as to sufficiency of sureties	0	13	4
This charge will be subject to increase, according to the distance of the sureties' residence; and, where necessary, agency charges for making such inquiries.			
Drawing exceptions to sureties	0	3	4
Service thereof on debtor's solicitor	0	5	0
Attending court when sureties allowed or disallowed	0	13	4
Costs of affidavits in opposition to the allowance of the bond for want of sufficiency of sureties, the same allowance as for other special affidavits.			

Costs of Bankruptcy Notice, where the Court allows Costs to Debtor on Notice set aside.

The debtor's personal expenses for travelling and loss of time, according to the scale allowed to witnesses.

And if attended by a solicitor, and his costs allowed (which must be by special order of the court).

Instructions to attend the court on the notice	0	6	8
Affidavit of counterclaim, &c.	0	2	6
Paid stamp	0	1	0
Attending court on hearing of notice, and drawing up order	0	13	4
Attending for appointment to tax, and copy and service of order and appointment	0	5	0
Attending taxing	0	6	8
Paid allocatur stamp	0	6	8

Costs of Application to prosecute a Petition in a particular District, or to transfer Petition from one District to another.

Instructions for affidavit to ground application	0	6	8
Drawing same, 1s. per folio.			
Fair copy, 4d. per folio.			
Attending deponent to be sworn	0	6	8
Paid oath	0	6	8
Attending court when order made, and drawing up same	0	13	4

Costs on Application for Warrant.

Instructions for affidavit in support of application for warrant	0	6	8
Drawing same, per folio 1s.			
Fair copy, per folio 4d.			
Attending to read over and to get same sworn	0	6	8
Attending court, warrant granted	0	13	4
Fair copy, per folio 4d.			
Attending officer, instructing him as to the execution of the warrant	0	6	8

Costs of disputing Statements in Petition.

Attending debtor served with copy of petition, taking instructions to show cause against same	0	6	8
Drawing notice showing cause	0	5	0
Two fair copies for service	0	2	0
Service on creditor, including postage	0	3	6
Ditto registrar	0	3	6
Perusing and considering petition	0	6	8
Examining witnesses in opposition	0	10	0
Costs of brief, and counsel's fee, where requisite to employ counsel.			
Attending court	1	0	0

Petitioning Creditor's Costs on Bankrupt disputing Statements in Petition.

The debtor having served notice of disputing the statements in petition, attending petitioner	0	6	8
Special attendances will be allowed to examine witnesses as to the facts they can prove, the charges for which, and for summoning them, will be in the discretion of the taxing officer, according to the circumstances; and where necessary to employ counsel to support the petition, the usual charges for brief and counsel's fees will be allowed.			
Attending court when receiving order made	1	0	0

Costs for substituted Service where Debtor keeps out of the way to avoid Service. £ s. d.

Several attendances to serve without effect, when it appearing that the debtor was keeping out of the way, and could not be personally served, instructions to apply for substituted service	0	6	8
Drawing affidavit of facts, and that due pains had been taken to effect personal service, per folio 1s.			
Fair copy, 4d. per folio			
Attending court for order for substituted service, and drawing up order	0	13	4

Costs of Brief.

Instructions for brief in discretion of taxing officer (Allowed only when Counsel employed)			
Drawing same, 1s. per folio			
Fair copy, 4d. per folio			
Fee to counsel and clerk			
Attending him	0	6	8
Where consultation or conference is necessary, attending to appoint same	0	6	8
Fee to counsel and clerk			
Attending consultation or conference	0	13	4

Cost of Cases for opinion of Counsel.

Instructions for case	0	6	8
Drawing same, 1s. per folio			
Fair copy, 4d. per folio			
Fee to counsel and clerk			
Attending him	0	6	8
Where conference is necessary attending to appoint same	0	6	8
Fee to counsel and clerk attending conference	0	13	4
Attending for and perusing opinion	0	6	8
Attending client, reading over opinion, and conferring with him thereon	0	6	8

Costs of Motion.

Instructions	0	6	8
Where on appeal	0	13	4
Drawing notice of motion to be served, per folio, 1s.			
Fair copies, 4d. per folio.			
Perusing documents (by London agent) on an appeal from £1 1s. to £2 2s.			
Making copy for filing of notice of motion, and attending registrar therewith, previously to the sitting of the court	0	3	4
Instructions for affidavit in support of motion	0	3	4
[No instructions allowed where the solicitor or his clerk makes the affidavit; no fees allowed to counsel to settle affidavit, unless very special.]			
Drawing same, at per folio 1s.			
Fair copies, per folio 4d.			
Attending reading over and to be sworn	0	6	8
Paid oath			
Copy affidavit for service with the notice of motion, 4d. per folio.			
Service, see General Rules.			
Attending to file affidavit	0	6	8
Paid for office copy, when required			
Affidavit of service and copy notice of motion to annex	0	6	8
Attending court on motion if heard £1 1s., and if not	0	10	6
Drawing order, per folio 1s.			
Attending settling same	0	13	4
Fair copy, per folio 4d.			
Attending to pass order	0	6	8
Copy to serve, where necessary, per folio 4d.			

GENERAL RULES.

1. More than one attendance at presentation or hearing of bankruptcy petition will not be allowed unless ordered by the court, and memorandum be obtained to that effect.
2. Attendance upon the court for necessary purposes not included in the foregoing scale, each 0 6 8
 - Attending court on each sitting (including presentation and hearing of petition) ... 1 0 0
 - If by agent 2 0 0
 - Clerk's attendance at each sitting, when required 0 5 0
3. Service of petition, order, notice, or other process, each service 0 5 0
 - If the distance be more than three miles, 5d. per mile extra, or a further sum, in the discretion of the taxing officer, according to circumstances.
 - In cases of great distance, the service must be by agent, unless otherwise sanctioned.
4. Drawing and copy bill of costs, per folio 0 0 4
5. General attendances, each 0 6 8
 - Long and special attendances 0 13 4
 - (Or more, in the discretion of the taxing officer.)
6. Writing letters, each, special 0 5 0
 - Ditto, common 0 3 6

- | | £ | s. | d. |
|--|---|----|----|
| 7. Circular letters, if above twenty
If numerous, they must be printed. | 0 | 1 | 0 |
| 8. Attendances to insert advertisements | 0 | 8 | 4 |
| 9. Extra allowances for length of sittings, or other increased allowances must have the sanction of the court, and a memorandum to that effect obtained, or all such charges will be disallowed. | | | |
| 10. Vouchers must be produced on taxation for all payments, or they will be disallowed. | | | |
| 11. Bills of costs must be written lengthwise, on one side only, and dates must be furnished to each item, such dates not to be written in the margin, which is to be left clear for taxation. | | | |
| 12. In special cases, where counsel are not instructed to appear in court, a charge by the solicitor for the preparation of minutes of fact or evidence for his own use may be allowed. | | | |

N.B.—Other necessary matters not herein provided for may be allowed on a similar scale, as nearly as may be, or in accordance with the practice of the Supreme Court, according to the nature of the proceeding.

The allowances to witnesses shall be the same as in the High Court.

The following charges to the end shall be subject to reduction by agreement with the trustee, or increase with the sanction of the committee of inspection and official receiver:—

Broker's Allowances.

	£	s.	d.
For inventory only—for every £100 or part of £100	0	10	0
For inventory and valuation of chattel property—			
For the first £100	2	10	0 per cent.
For the next £400	1	10	0 ”
All above up to £10,000	1	0	0 ”
Above £10,000	0	10	0 ”
For sales by private contract based on valuation	0	10	0 ”
For sales by auction of chattel property, including all expenses except advertisements, which must in each case be authorised by the official receiver or the trustee, not exceeding—			
	£	s.	d.
For the first £100	10	0	0 per cent.
For the next £400	7	10	0 ”
For the next £500	6	0	0 ”
All above £1,000	5	0	0 ”

No higher allowance to be sanctioned without leave of the Board of Trade.

Costs of Surveys, Dilapidations, and Specifications.

From £2 to £5 in discretion of taxing officer.

Accountant's Charges.

	£	s.	d.
For preparing balance-sheet, investigating accounts, &c., principal's time exclusively so employed, per day of seven hours, including necessary affidavit, or such other sum at the Court may under special circumstances order	1	1	0
			to
	5	5	0
Chief clerk's time			0 10 6
			to
	1	11	6
Other clerk's time, per day of seven hours			0 7 6
			to
			0 16 0

These charges to include stationery, except the forms used.

Selborne, C.

J. Chamberlain,

President of the Board of Trade.

SEALS OF COURTS.

THE BANKRUPTCY ACT, 1883.

I, THE RIGHT HONOURABLE ROUNDELL, EARL OF SELBORNE, Lord High Chancellor of Great Britain, Do hereby, by virtue of the power vested in me by the Bankruptcy Act, 1883, Order that the High Court shall, from and after the 1st day of January, 1884, have and use in respect of bankruptcy proceedings therein a seal describing such Court as "The Supreme Court of Judicature, Bankruptcy"; and that every County Court shall, from and after the time aforesaid, have and use the same seal as heretofore.

Selborne, C.

FEES AND PER-CENTAGES.

THE BANKRUPTCY ACT, 1883.

I, THE RIGHT HONOURABLE ROUNDELL, EARL OF SELBORNE, Lord High Chancellor of Great Britain, Do, by virtue of the powers vested in me by the Bankruptcy Act, 1883, prescribe that the fees and per-centages in the scales hereto annexed shall, from and after the first day of January, 1884, be the fees and per-centages to be charged for or in respect of proceedings under the said Act, and shall be taken in any Court having jurisdiction in Bankruptcy and in any office connected with any such Court, and in the Board of Trade and any office connected therewith, and by any officer paid wholly or partly out of public moneys attached to any such Court or to the Board of Trade.

Selborne, C.

	£	s.	d.
If High Bailiff of a County Court or bankruptcy officer of Supreme Court directed by the Court personally to travel, per mile	0	0	7
If High Bailiff of a County Court or Bankruptcy officer of Supreme Court directed by the Court personally to travel, his time, per day	0	10	0
If High Bailiff of a County Court or Bankruptcy officer of Supreme Court directed by the Court personally to travel, his expenses, per day	0	10	0

TABLE D.

F On the net assets realised or brought to credit by the official receiver, whether acting as interim receiver or as trustee, not being assets received and spent in carrying on the business of the debtor, 6*l.* per cent.

On every payment under section 162 of money out of the bankruptcy estates account, 5*s.* on each 20*l.* *ad valorem* on the amount paid.

	£	s.	d.
Room for meeting of creditors, summoned by official receiver, for each creditor present personally or by proxy at each meeting	0	1	0
For each notice to creditor of a meeting	0	1	0
Keeping possession, per day	0	4	6
Travelling, and other reasonable expenses of official receiver	-	-	-
For official stationery, books, and forms, each estate, for every fifty creditors, or less ...	1	0	0

TABLE E.

For every order of administration under section 122, two shillings in the pound on the total amount of the debts scheduled from time to time, excluding any fraction of a pound in such total.

TABLE F.

The fees and allowances payable on proceedings had after the thirty-first day of December 1883 in respect of any matter which was pending in any Court having jurisdiction in bankruptcy on the said day shall be the same as if those proceedings had been taken before such day, and shall be applied to the same purposes.

WE, the undersigned Lords Commissioners of Her Majesty's Treasury, do hereby sanction the foregoing scales of fees and per-centages, and do direct that the fees to be taken by stamps shall be those mentioned in Tables A. and B., and that the fees mentioned in Tables C., D., and E., shall be taken in money, and that the fees and allowances referred to in Table F. shall be taken by stamps or money according as they have hitherto been taken: in respect of all proceedings in the High Court of Justice and the Court of Appeal the stamps to be used shall be Judicature fee stamps; and in respect of all other proceedings the stamps to be used shall be Bankruptcy fee stamps.

And we further direct that the stamp shall be affixed or the money paid in respect of every fee before the proceeding is had in respect of which the fee is payable, and that the charge to be made by the London Gazette for the insertion of each notice authorized by the Act or Rules shall be ten shillings, except in the cases of estates administered under Part VII. of the Act, in which cases the charge shall be three shillings and fourpence.

R. W. DUFF.
H. J. GLADSTONE.