


Taxation of both Pursuer & Defender's cross actions —

Auditor agreed that when both are on block charge should
be $1\frac{1}{2}$ times block fee for Incidental Proceedure & Preparation for Proof


Taxes 23/1/80.

MA v. WA

LEGAL AID CODE
01015

MELVILLE & LINDESAY W.S.

BUSINESS ACCOUNT

incurred to

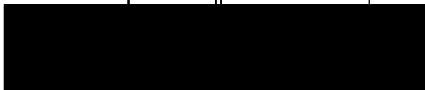
MESRS. MELVILLE & LINDESAY
W.S.

in causa



PURCHASE

against



DEBIT

Legal Aid No. 37/01/099295-77

1977
Oct. 12

Writing Correspondents acknowledging receipt of papers, enclosing legal aid papers for execution and return, reporting the further information which we required and asking for birth and marriage certificates. 2.p.

Perusing and considering papers received. 1 hr.

Preparing Memorandum for application for legal aid. 2 sheets.

Extending and 2 copies 2 sheets.

2 7
5 1
3
1 0

12 80

£2.55

Handwritten notes:
sundry
sheet
sufficient
for
divorce
- or any
divorce
action
281.

1977

Oct.

12

Framing application for legal aid.

1 7

Extending and 2 copies.

0 1

27

Writing Correspondents noting what they write, reporting steps we have now taken.

1 7

Writing Law Society enclosing legal aid papers and with regard thereto.

1 3

Serving same.

1 3

Dec.

6

Perusing and considering legal aid certificate.

1 2

Instructing Counsel.

1 3

List of papers sent and copy.

1 3

Paid Counsel his fee for Summons.

1 3

Attendance at telephone with Correspondents discussing further progress in connection with the action.

0 7

20

Perusing Summons received from Counsel.

0 8

Making 6 copies of Summons. 5 sheets.

6 2

Signetting Summons.

0 8

Paid dues.

15 00

Serving Summons.

1 7

Perusing Note by Counsel.

0 2

Making 3 copies.

0 8

Writing Correspondents reporting the position and enclosing copy of Summons.

1 3

1978

Jan.

18

Making up and lodging process.

2 3

Framing, extending and making 2 copies of Inventory of Productions.

1 6

Lodging same.

0 8

Making 3 copies numbers 9 and 10 of process.

1 6

Enquiring for appearance.

0 8

Writing up duplicate inventory.

0 5

Making 2 copies.

0 6

Procuring and booking Interlocutor sisting cause.

1 1

18

Accepting service of Defender's legal aid papers.

1 1

Perusing and considering Defender's legal aid papers.

2 1

22 50

50 4

1.00
1.40
1.00

(1/2)
(1/2)

(1/5)

4.00

30 p

1.00
1.30

1978

Jan.	18	Writing Correspondents advising them of the legal aid papers which we have now received in connection with the case.	1	35
	27	Writing Messrs. Nightingale & Bell noting what they write.	0	35
Mar.	29	Fee for Motion to recall the sist. Session fee.	0	00
		Writing Messrs. Nightingale & Bell reporting the position, advising of the delay which has taken place, we propose to ordain them to lodge defences.	1	35
	30	Attendance at telephone with Messrs. Nightingale & Bell arranging to delay our Motion.	0	85
May	31	Fee for Motion to ordain the Defender to lodge defences. Session fee. Enquiring for defences.	3	50
June	20	Writing Messrs. Nightingale & Bell noting they have now received legal aid certificate.	0	35
Aug.	31	Writing Messrs. Nightingale & Bell acknowledging receipt of defences. Perusing and considering defences. Making 2 copies of defences 3 sheets. Procuring and booking interlocutor allowing defences to be received. Writing Correspondents reporting the defences which we have now received, enclosing copy thereof.	0 2 1 1 1	35 55 95 35
Nov.	24	Paid Counsel his fee to adjust. <i>Allow 1/2 pre Oct. rates 15 00</i> Fee for adjustment of the Record. <i>1/2 post</i> Stanton fee. Paid Half share Closed Record (as per note annexed)		88 00

~~2.10.00~~
~~1.11.00~~

1979

Jan.	3	Fee for Incidental Procedure. <i>Allow full fee in Action</i> Session fee. <i>1/2 in this case</i> Fee for preparing for Proof. Session fee. Making 3 copies list of witnesses.	78 7 85 8 0	00 80 00 50 80
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~~39.00~~ ~~39.00~~
~~3.90~~ ~~3.90~~
~~42.50~~ ~~42.50~~
~~4.25~~ ~~4.25~~

34 50 344 12

1979
Jan.

8	Making 2 copies duplicate inventory.		0	70
	Making 3 copies production lodged for Mrs. Armstrong on 3rd January 1979.		0	80
	Making copy for Messrs. Nightingale & Bell.		0	15
	Paid Counsel his fee for Note on Line of Evidence.	(FS) 10	00	
8	Fee for Motion to allow the action to be co njoined.		13	00
	Session fee. <i>Substantial Procedure fee</i>		1	30
	Paid Counsel his fee to attend Motion.	(FS) 3	00	
9	Fee for Pursuer's Specification of documents.		26	00
	Session fee.	(FS)	2	60
	Fee for serving Specification.		7	00
	Session fee.		0	70
	Paid Counsel his fee for Specification (as per note annexed)	-	--	
16	Paid Counsel his fee to attend Proof (as per note annexed)	-	--	
17	Making 3 copies further production lodged by the Pursuer.		0	90
	Making copy for Messrs. Nightingale & Bell.		0	20
19	Fee for attendance at Proof 2 1/2 hrs.		16	25
	Session fee.		1	62
	Instructing Counsel to prepare Minute of Abandonment.		1	75
	Copy list of papers sent.		0	50
	Paid Counsel for Minute of Abandonment.	(FS) 4	00	
	Fee for Final Procedure.		45	00
	Session fee. <i>Abandoned - allow \$11.00</i>		4	50
	Writing Faculty Services requesting a note of Counsel's fees.	(1)	0	50
	Writing Correspondents requesting their account for submission to the Law Society.	(2)	0	50
	Writing them acknowledging their account.	(2)	0	50
	Framing Stage Report IV.		1	00
	Extending and 2 copies.		0	90

6.50
~~4.30~~
65p
\$1.50 (FS)

2 1/2 hrs also spent money on other action

40036.00
3.40
~~25p~~
~~25p~~
~~25p~~
20p 20p

54 50 490 49

1979
Jan.

25p

13.91

153.36

3.50

156.86

B/FWD.

£ 54 50

£ 440 4

19 Writing Law Society enclosing Stage Report IV.

0 50

Paid Pursuer travelling expenses.

5 00

Paid Mrs. Beck.

5 00

Posts and Incidents 12%

440 99

56 52

64 50

524 5

Add: Outlays.

64 50

592 01

Add: Correspondent's Account.

63 60

655 6

Add: Counsel's fee for Specification

Counsel's fee for Proof. (1/2)

10 0

45 00

Half Share Closed Record.

8 2

718 7

Taxes etc at £.643.01

✓
✓ (FS)

MESSRS. DAVIDSON & SHIRLEY, SOLICITORS

[REDACTED]

1977
Oct.

5 Attendance on [REDACTED] taking instructions from her.

Fee for Precognition of [REDACTED]

Extending and 3 copies.

Session fee.

Attendance on [REDACTED] taking statement from her.

Fee for precognition of [REDACTED] 3 sheets.

Extending and 3 copies.

Session fee.

Perusing and checking birth and marriage certificates.

17 Writing Pursuer reporting the steps which we have now taken advising of the further information which we require from her.

1.00

Nov. 5 Attendance on [REDACTED] going over legal aid papers and having same executed.

2.12

Dec. 12 Writing [REDACTED] advising her of the legal aid certificate which we have now received, with regard to her contribution.

22 Perusing and considering Summons and Note by Counsel.

28 Writing [REDACTED] reporting the position to her.

1978
Jan.

5 Attendance on [REDACTED] going over Summons and revising terms thereof.

1979
Feb.

Posts and Incidents 12⁵

Add: Outlays.

I certify that the Assisted Person did not receive Legal Advice and Assistance in connection with the subject matter of the proceedings in this case.

Stephen P. Whiddell

LAA to be dealt with separately

77200 / sheets on record
85 sub. fee
to corroborate desertion custody

why not same day?

- --

8 50

0 95

0 94

- --

25 50

2 85

2 83

2 55

1 35

4 25

0 67

0 85

1 35

4 25

56 84

6 82

63 66

- -

63 66

LEGAL AID CODE

01015

MELVILLE & LINDESAY W.S.

BUSINESS ACCOUNT

incurred to

MESRS. MELVILLE & LINDESAY
W.S.

in causa



PURSUER

against



DEFENDEE

Legal Aid No. 37/01/099309-77

1977
Aug.

26

Writing Correspondents acknowledging receipt of papers with regard to the position, that it may be advantageous to make further enquiries immediately, reporting the further information we require to strengthen the financial claims. 2.p.

2 70

2:55

Perusing and considering papers received. 1 hr.

5 10

7 80

280

Sept.	27	Writing Correspondents noting what they write, that if they were able to ascertain the name and address of Mr. Armstrong's solicitors, we would imagine they would be able to advise them of the instructions they had received, advising of our further views regarding the evidence. 2.p.	2	70
		Framing Memorandum for application for legal aid.	1	70
		Extending and 2 copies.	0	80
		Framing application for legal aid.	1	70
		Extending and 2 copies.	0	80
Oct.	27	Writing Correspondents noting what they write, reporting steps we have now taken. <i>formal letter</i>	1	35
		Writing Law Society enclosing legal aid papers and with regard thereto. $(\frac{1}{2})$	1	35
		Serving same. $(\frac{1}{2})$	1	35
		Writing Messrs. Nightingale & Bell reporting the instructions we have received and asking to know the position.	1	35
	26	Procuring and booking Interlocutor allowing a roof.	1	35
		Writing Correspondents reporting and enclosing copy Interlocutor.	1	35
		Copy Interlocutor sent.	0	50
		Entering appearance.	-	--
		Fee for Motion to sist the cause.	3	50
		Session fee.	0	35
		Borrowing principal Summons.	0	85
		Perusing and considering same.	-	--
Nov.	2	Writing Messrs. Nightingale & Bell noting what they write, advising that there are always two sides to every argument, that we cannot agree it would be better for our client to allow their action to proceed as undefended, that would certainly save their client time and expense, it would not, however, achieve anything for our client.	1	35
	18	Writing Messrs. Nightingale & Bell noting what they write, that we presume in the circumstances their client is not prepared to allow our action to proceed as undefended.	1	35
		Writing Correspondents reporting the Diet of Proof which has now been fixed, the action will not proceed as undefended unless the differences are solved.	1	35
			32	85

1977
Dec.

6 Perusing and considering legal aid certificate.

1 27

Returning principal Summons to process.

0 85

Writing Correspondents reporting that we have now received a legal aid certificate, advising that there is a Nil assessment.

1 35

7 Instructing Counsel for defences.

1 35

List of papers sent and copy.

1 35

Paid Counsel his fee for defences.

(FS) 10 00

Making copy of Summons for Counsel 4 sheets.

2 00

20 Perusing defences received from Counsel.

0 85

Making 6 copies of defences 4 sheets.

5 00

Perusing Note by Counsel.

0 85

Making 3 copies.

0 80

Having defences signed by Counsel.

0 85

Lodging defences.

1 70

Paid dues lodging defences.

10 00

Intimating defences.

0 35

Writing Correspondents reporting the position and enclosing copy of defences.

1 35

Fee for Motion to allow defences to be received.

3 50

Session fee.

0 35

78
Jan.

18 Accepting service of Pursuer's legal aid papers.

1 35

Perusing and considering same.

2 55

Feb. 8 Paid Mr. Craik his fee to adjust.

7 50

14 Fee for Motion to continue the period of adjustment.

3 50

Session fee.

0 35

50 Adjustment
fee to 3.50
cover all
5p work 35p

Mar. 3 Paid Mr. Craig his fee to adjust further.

5 00

28 Fee for adjustment of the Record.

68 00

Session fee.

6 80

Paid Half Share Record.

8 25

3.85 29 Fee for Motion to allow a Proof.

3 50

Session fee.

0 35

9 11 1/2 Pending fee

3.85 29
~~3.85~~

85
50 p
135

Date	Description	£	s	d
1978 Mar. 29	Fixing Diet of Proof.	0	85	
	Making copy Interlocutor citing witnesses.	0	50	
Oct. 13	Writing Messrs. Nightingale & Bell noting their proposals with a view to settlement.	0	5	
	Making copy letter received.	0	5	
	Writing Correspondents enclosing copy letter we have received, with regard to the proposals which have been put forward. 2.p.	3	5	
Nov. 6	Writing Messrs. Nightingale & Bell confirming that we have not received any instructions on the proposals for settlement.	0	5	
	Writing Correspondents pointing out we have not heard further from them, that we are now being pressed by Messrs. Nightingale & Bell to make progress.	1	7	
24	Writing Messrs. Nightingale & Bell acknowledging receipt of their letter, advising that we have still not received full instructions from our client.	0	5	
	Writing Correspondents reporting that we are now being pressed to make progress, asking for further instructions.	-	-	
Dec. 1	Writing Messrs. Nightingale & Bell advising that our client does not wish to drop her claim for periodical allowance, reporting our client's financial position.	1	7	
1979 Jan. 3	Fee for Incidental Procedure.	78	0	
	Session fee.	7	8	
	Fee for preparing for Proof.	85	0	
	Session fee.	8	5	
	Making 3 copies list of witnesses.	0	8	
	Making 2 copies duplicate inventory.	0	6	
	Making 3 copies production lodged for Mrs. Armstrong.	0	8	
	Making copy for Messrs. Nightingale & Bell.	0	11	
	Making 2 copies duplicate inventory.	0	6	
	Paid Counsel his fee for Note on Line of Evidence.	(15) 10	00	
9	Fee for Pursuer's Specification of documents.	00	0	
16	Making 3 copies Pursuer's productions. 2 sheets.	1	4	

No consultation

(15) 10 00

E/FWD. £ 50 45 £ 334 11

1979
Jan.

16 Making 2 copies further productions lodged by the Pursuer.

0 70

Paid Counsel his fee to attend Proof (as per note annexed)

--

19 Making 2 copies further documentation lodged by the Pursuer. 5 sheets.

3 50

Fee for attending at Proof 2 1/2 hrs.

16 20

Session fee.

1 60

Fee for Final Procedure.

45 00

Session fee.

4 50

Writing Faculty Services requesting a note of Counsel's fees. 2 letters!!

0 50

Writing Correspondents requesting their account for submission to the Law Society.

0 50

Writing them acknowledging their account.

0 50

Framing Stage Report IV.

1 00

Extending and 2 copies.

0 50

Writing Law Society enclosing Stage Report IV.

0 50

Perusing and checking extract decree.

3 00

Writing Correspondents enclosing extract decree.

0 50

Final Procedure

Posts and Incidents 12%

416 09

49 90

50 45

466 00

Add: Outlays.

50 45

516 45

Add: Correspondent's Account.

86 51

603 28

Add: Counsel's fee for Proof 16/1/79 (1/2)

45 00

648 28

Taxed @ £671.68

*Wason's
Example
- \$120 funds
in other
action,
of \$100
in all?*

*22.50
34.00
3.40*

25p

3.50

7.13

*No Witnesses
for selling - in this case
Allow for fee
re proving + booking
Final Introductory Note
Can not charge your client for a/c.*

V.A.T. Ref. No.

MESSRS. DAVIDSON & SHIRLEY, SOLICITORS



1977

Aug.

23

Attendance on [redacted] discussing and going over the correspondence which she had received from the Supreme Court Committee in connection with her husband's legal aid application, discussing the steps which her husband was taking explaining regarding procedure to her. 1 hr.

Allow 1/2 hr rest precognition fee

8 50

Writing Edinburgh Agents reporting the position, enclosing papers and instructions.

- --

Oct.

5

Perusing and considering Summons served on [redacted]

2 55

Making copy of Summons 4 sheets.

2 00

Writing Edinburgh Agents therewith.

- --

Attendance on Mrs. Armstrong taking statement from her.

- --

Fee for precognition of [redacted] 4 sheets.

34 00

Extending and 3 copies.

3 00

Session fee.

3 75

Writing [redacted] referring to the Summons served on her, advising that we require further instructions from her, whether she wishes to defend on the merits, that Summons also claims access.

1 35

Nov.

1

Attendance on [redacted] going over legal aid papers and having same executed.

why not

4 25

Dec.

12

Writing [redacted] advising her of the legal aid papers we have now received, with regard to her contribution.

0 30

23

Perusing and considering defences.

0 40

Perusing Note by Counsel.

0 40

1978

Oct.

12

Writing [redacted] reporting the proposals which have now been put forward with a view to settlement and asking for instructions. 2 p.

3 50

Nov.

9

Writing [redacted] pressing to hear from her, regarding the proposals.

0 50

B/FWD.

£ - - £ 65 70

1978
Nov.

1980

21 Writing [redacted] pressing to hear from her.

0 50

1985

24 Attendance on [redacted] discussing and going over with her the proposals which had been put forward with a view to settlement, taking instructions from her. 1 hr.

11 00

Allow 1/2 re settlement - rest covered by bank fees

1979
Feb.

76p

Posts and Incidents 12%

11 20

9 24

Add: Outlays.

86 51

86 51

I certify that the Assisted Person did not receive Legal Advice and Assistance in connection with the subject matter of the proceedings in this case.

Stephen P. Kiddell