

**A. C. BENNETT & FAIRWEATHER, W.S.**

**SOLICITORS**

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(INCORPORATING A. C. BENNETT & SON, GORDON FALCONER & FAIRWEATHER, W.S. ALLAN MCNEIL & SON, W.S.)

The Financial Secretary,  
Legal Aid Central Committee,  
41, Drumsheugh Gardens,  
EDINBURGH.

OUR REF. A.725/JM/AP.

YOUR REF.

*TAXATION*

DATE 2nd December, 1980.

Dear Sir,



*L Allowed work up  
to 50 AE  
2 Abated pre legal  
aid work re Motion  
5 Abated 9/10 from exp  
16(2)(b) scheme*

We now enclose our principal Account in this matter which has been taxed by the Auditor of the Court of Session. We shall be glad to receive payment in accordance with the taxed account.

Yours faithfully,

*Handwritten signature*

100-100-100

BUSINESS ACCOUNT

incurred to

MESSRS. BENNETT & FAIRWEATH  
W.S. (FOR ALLAN MCNEILL &  
SON)

in causa

AC v, CC



PURSUER

against



DEFENDER

and



CO-DEFEND

Writing Correspondents acknowledging receipt of papers with our view thereon, reporting the further information which we require, enclosing legal aid papers for execution and return. 2.p.

Perusing and considering papers received. 1 hr.

Framing Memorandum for application for legal aid.

Extending and 2 copies.

Framing application for legal aid.

Extending and 2 copies.

20

Writing Messrs. Allan McDougall & Co. reporting the instructions we have received, advising of the steps we propose to take, we are informed that their client has only made one payment of alimnt for the up-keep of the child, asking that they inform their client of his duty to alimnt his son. 2.p.

Fee for Motion to sist the cause.

Session fee.

Entering appearance.

Borrowing Principal Summons.

Perusing and considering same.

Opposing Motion.

Instructing Mr. Bowen advising him of the situation, enclosing letter we have received from our Correspondents and asking him to oppose Motion. 2.p.

List of papers sent and copy.

Paid his fee to attend Motion (as per note annexed)

Making copy of letter from Correspondents for Counsel.

Attendance at telephone with Correspondents when they gave us further particulars.

Attendance on Mr. Bowen's Clerk when he advised us that Mr. Bowen would be unable to attend the Motion.

Instructing Mr. Bell to attend Motion.

Copy list of papers sent.

20

Writing Correspondents advising of the steps we are taking to oppose the Motion for interim access.

*Only work allowed prior to effective date when arriving for defendant*

*re entering appearance, sist for LA, and LA work*

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5 10 ✓  
1 70 ✓  
0 80 ✓  
1 70 ✓  
0 80 ✓  
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3 50 ✓  
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0 50 ✓  
0 85 ✓  
0 85 ✓  
1 35 ✓  
0 50 ✓  
1 35 ✓

*Apply for LA & 2 months later - no emergency*

*70*

*L10-30  
VCL*

at Motion.

Procuring Interlocutor and booking.

Making copy of letter.

24 Writing Correspondents noting what they write.

Writing Correspondents on 23rd December, reporting what took place at the Motion, enclosing copy Interlocutor, advising that Counsel informs his Lordship that only one payment of aliment had been made towards the upkeep of the child. 2.p.

Making copy of Interlocutor.

31 Writing Correspondents noting what they write advising that we would certainly advise Mrs. Clark to appeal against the court's decision concerning access, that if the child is greatly disturbed by outings with his father or actually receives physical illtreatment, that we would have excellent grounds for returning to the court. 2.p.

1977

Jan. 28 Writing Correspondents asking to hear from them.

Feb. 4 Writing Correspondents noting what they write, asking that they arrange to have the forms re-executed and dated.

8 Writing Correspondents reporting the position advising the further steps which the Pursuer's agents are threatening to take.

Writing Messrs. Allan McDougall & Co. acknowledging receipt of their letter and reporting the present position and the delay in making progress.

21 Writing Correspondents noting what they write and reporting steps we are now taking.

Writing Supreme Court Committee enclosing legal aid papers and with regard thereto.

Serving same.

Mar. 9 Writing Law Society enclosing copy of the Summons as requested.

Copy Summons sent 5 sheets.

25 Writing Messrs. Allan McDougall & Co. noting what they write.

Writing Correspondents reporting the further proposals which have been put forward in respect of access and other matters, that the Pursuer is obviously anxious to settle to know if they are prepared to agree to the proposals. 2.p.

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16-75

LA 616 effective  
22/12/77.  
allow from here.

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...noting what they  
...the proposals for settlement  
are not agreeable we shall require to instruct  
Counsel, that we have now received a legal aid  
certificate.

reusing legal aid certificate.

Writing Law Society reporting the position  
explaining the background of the matter and  
asking them to amend the certificate. 2.p.

11 Writing Messrs. Allan McDougall & Co.  
advising that our client suggests that at  
this stage access should be limited to  
every second Sunday of the month and not  
every Sunday.

12 Writing Correspondents acknowledging receipt  
of their letter, that in the meantime when  
the alimentary position we assume that their  
client is agreeable to an award of aliment  
of a nominal sum.

19 Writing Messrs. Allan McDougall & Co. noting  
what they write.

Writing Correspondents advising that we have  
now heard from the Pursuer's solicitors on the  
subject of access, that the Pursuer's  
solicitors would wish that in the Joint  
Minute we should agree that there should be  
no aliment payable by the Pursuer to the  
Defender asking whether this would be  
acceptable to their client. 2.p.

25 Writing Messrs. Allan McDougall & Co.  
advising that our client is not agreeable  
to entering into Joint Minute which suggests  
that there would be no aliment payable.

Writing Correspondents reporting the terms  
in which we have now written to Messrs.  
Allan McDougall & Co.

June 7 Writing Messrs. Allan McDougall & Co. noting  
what they write.

July 8 Writing Correspondents advising that we have  
now received a reply from Messrs. Allan  
McDougall & Co. that their client is willing  
to pay the nominal sum of £1 perweek.

Aug. 16 Writing Correspondents reporting the further  
proposals which have been put forward.

22 Writing Correspondents acknowledging receipt  
of their letter, noting the position.

26 Writing Messrs. Allan McDougall & Co.  
reporting that their client appears to be in  
employment in the Clydebank area as a barman,  
asking if they have confirmation of this.

d. A. Coit expired 5/10/77.

d. A (Scot) Scheme 58 section

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76 51

*Extension of A.C. Coit*

*16(2)(b) refers  
Extension to L.A. Coit  
Should have been sought*

Messrs. Allan McDougall & Co. noting that they write, that if we do not hear from them shortly with their client's proposals we shall have no alternative but to enrol for interim alimnt.

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Writing Correspondents advising that we have informed Messrs. Allan McDougall & Co. that we intend to enrol for interim alimnt, that in view of Mr. Clark's supposed earnings asking to know what alimnt they wish us to claim, that we feel that with regard to Mr. Clark's present financial position that £10 may be in order, that Mrs. Clark has no authority to stop her husband's visits; acknowledging copy correspondence. 2.p.

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Perusing copy correspondence.

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12 Writing Messrs. Allan McDougall & Co. acknowledging receipt of their letter, that it would appear to us that the case is capable of settlement.

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17 Writing Correspondents reporting the steps the Pursuer's agents are now proposing to take, that we have failed to receive any proposals from Messrs. Allan McDougall & Co. in respect of maintenance.

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19 Writing Messrs. Allan McDougall & Co. noting their further proposals.

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Writing Correspondents advising that we have now received a letter from Messrs. Allan McDougall & Co. stating that their client is prepared to pay £5 per week by way of alimnt.

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26 Perusing copy correspondence received from Correspondents.

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Instructing Mr. Bowen to prepare defences, explaining the background of the matter, advising that Mrs. Clark wishes custody and alimnt with regard to the difficulties over alimentary provisions. 2.p.

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List of papers sent and copy.

1 35

Paid his fee to prepare defences (asper note annexed)

Making copy of Summons for Counsel 5 sheets.

2 50

31 Perusing defences received from Counsel.

0 85

Making 6 copies of defences 2 sheets each.

2 30

Having defences signed by Counsel.

0 85

Lodging defences.

1 70

Paid dues lodging defences (as per note annexed)

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£22-90