" you must give notice of your intention to do so in writing to the Clerk of the Crown " and Peace, County Courthouse, Crumlin Road, Belfast, within three clear days " after receipt of this notice. The Application for Renewal will then be heard by " the Judge on another day notice of which will be sent to you. If you give notice of " intention to dispute later than the time mentioned above or if, having failed to give " such notice, you dispute the claim at the hearing you may be ordered to pay any " costs or expenses properly incurred by the plaintiff in consequence of your failure " to give such notice within the time allowed."

FORM NO. 3

FORM OF NOTICE OF APPLICATION FOR A REVIEW BY THE RECORDER OF A DETERMINATION BY THE REGISTRAR.

RECORDER'S COURT BELFAST.

Plaintiff :

Defendant :

TAKE NOTICE that I hereby apply for a Review by the Recorder of the Determination by the Registrar made in the above action on the day of , 19 .

DATED this day of , 19 .

(Signed)

(Applicant or his Solicitor)

To :
The Clerk of the Crown and Peace.

SECOND SCHEDULE

PART 1

COSTS

	s.	d.
For attending hearing before the Recorder, either where a defendant has failed to give notice of intention to dispute the claim within due time, or where a defendant has obtained a review of a determination of the Registrar and such determination has been affirmed, if the Recorder so directs ...	5	0

PART 2

FEES

(Payable by County Court Stamps)

On every Notice of Application for a Review by the Recorder of a Determination by the Registrar	2	6

Drainage Act County Court Rules (Northern Ireland), 1948

1948. No. 37

WE, the undersigned members of the County Court Rules Committee appointed by the Lord Chief Justice of Northern Ireland under subsection (3) of section 2 of the County Courts (Salaries and Rules) Act (Northern Ireland), 1947, by virtue of the powers vested in us in this

behalf, do hereby make the Rules hereinafter set forth as rules to be in force in proceedings in the County Courts under the Drainage Act (Northern Ireland), 1947, and do hereby certify the same under our hands and submit them to the Lord Chief Justice of Northern Ireland accordingly.

(Signed) *Bernard J. Fox*
Isaac Copeland
H. A. McVeigh
Samuel Cumming
Geo. H. Pollock.

I approve of these Rules which shall come into force on the 19th day of February, 1948.

Dated the 18th day of February, 1948.

(Signed) *James Andrews*
Lord Chief Justice of Northern Ireland.

The scale of Court fees in the Second Schedule has been fixed with the consent of the Ministry of Finance for Northern Ireland.

In witness whereof the Official Seal of the Ministry has been affixed hereto this 24th day of February, 1948, in the presence of

John I. Cook,
(L.S.) Assistant Secretary.

DRAINAGE ACT (NORTHERN IRELAND), 1947.

COUNTY COURT RULES

Dated the 18th day of February, 1948.

1.—(i) The following rules shall have effect under the Drainage Act (Northern Ireland), 1947 (hereinafter called " the Act ") and may be cited as the Drainage Act County Court Rules (Northern Ireland), 1948.

(ii) Expressions used in these rules shall have the same meaning as the same expressions used in the Act.

(iii) These rules shall be read and construed with the County Courts (Ireland) Orders 1890, and the County Court Rules of subsequent date amending the same ; and, save where otherwise provided herein, the rules of interpretation applicable to such rules shall apply also to these rules, and the provisions of such rules shall apply to all proceedings under the Act.

2. All appeals to the county court under the Act shall be brought by a Notice in Form No. 1 in the First Schedule hereto or to the like effect.

3. A copy of such Notice shall be served upon the county council at least fourteen days before the first day of the sessions at which it is intended to have such appeal heard. The original Notice, with particulars of service endorsed thereon, a copy for the use of the Judge and also two copies of the Notice served upon the Appellant by the county council under paragraph (*b*) of sub-section (5) of section 19 of the Act and in respect of which the appeal is brought shall be lodged in the office of the Clerk of the Crown and Peace not later than seven clear days before the first day of the sessions at which it is intended to have such appeal heard. Every such appeal shall be listed for hearing at an Equity Sittings of the county court.

4. The determination of the county court shall be in Form No. 2 in the First Schedule hereto or to the like effect.

5. The costs of every appeal under the Act shall be in the discretion of the court and may be measured by the Judge, and when not so measured shall be allowed on the scales applicable to proceedings in an equity suit in the county court and the statutory provisions and rules for the time being in force as to the allowance and taxation of such costs in such cases shall apply.

6. The Judge may make such order as to witnesses expenses as he may think just and reasonable.

7. In all cases court fees shall be payable in accordance with the scale in the Second Schedule hereto.

8. Where not otherwise expressly provided by these rules the existing practice of the county courts in Equity cases shall apply to all proceedings under the Act.

FIRST SCHEDULE

FORM I.

NOTICE OF APPEAL

In the County Court of the County of Division of
In the Matter of the Drainage Act (Northern Ireland), 1947.
BETWEEN :

(*set out name, address and description of Appellant*)

Appellant :

AND

(*set out particulars of county council*)

Respondent :

WHEREAS (*name of county council*) has on the day of 19 served (*name of Appellant*) with a notice under paragraph (*b*) of sub-section (5) of section 19 of the above mentioned Act requiring him to carry out :—
(*set out the work required to be done and the time within which such work is to be done as specified in the notice aforementioned*)

AND WHEREAS (*Appellant*) objects to carrying out the said works, on the following grounds :—

(*set out details of objections*)

AND WHEREAS (*Appellant*) now intends to appeal to the County Court for the County of Division of for an Order :—

(*set out nature of Order sought*)

TAKE NOTICE that such appeal will be heard at the County Court to be held at on the day of 19 .

Dated the day of , 19 .

(*Signed*)
Appellant or his Solicitor.

FORM 2.

ORDER

(Title as in Form 1)

THIS MATTER coming on for hearing at the County Court for the County of held at on the day of , 19 , and

UPON READING the notice of appeal herein and also a notice dated the day of , 19 , and served by (*county council*) upon (*Appellant*) under paragraph (*b*) of sub-section 5 of section 19 of the above mentioned Act, in respect of which the said appeal is brought, and

UPON HEARING

IT IS ORDERED that the said notice dated the day of 19 , (*be confirmed*) (or) (*be annulled*) (or) (*be varied in manner following*) :— (Set out in detail)

AND IT IS FURTHER ORDERED that do pay to the sum of £ for costs and £ for witnesses expenses.

And the several Under-Sheriffs in Northern Ireland are hereby commanded to take in execution the goods of the said to satisfy the said costs and witnesses expenses.

Dated the day of 19 .

(SEAL)

Clerk of the Crown and Peace

Solicitor.

SECOND SCHEDULE

COURT FEES

(County Court Stamps)

	s.	d.
On every appeal	5	0
On every copy for service	1	0
Entry fee	2	6
On any Interim Order	1	0
On Final Order	5	0