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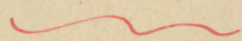
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PLIC/1/4351

4905.

Mr Bussem



Consequential Loss.



Wrote in Kings Cove

Was case

of consequential

of return to me

7th Oct 87

Done 10/28/87.

Claim No. 150

25 Northumberland Road,
Dublin 4905

I Regs - new no. 1: Done 18/1/16 3rd July, 1916.

II Note in order 152 of 31st July that the Commission was unable to

II Done 12/16 10/1/16

Sir enclosing the cl for legal expenses

III Note in Regs. cl. declined by Commission (in view of)

In my claim for compensation
Done 18/1/16

for damages in connection with my house at above address, I referred to the law expenses incurred by me, but did not state the amount under this head as it was not known to me when making out the claim. I am now in receipt of my solicitors' bill of costs, which I enclose herewith, and I request that you will submit it to the Property Losses (Ireland) Committee and ask them to be good enough to forward it to H. M. Treasury to be considered with my claim and as forming part of it.

Before the Government had declared its intention of making a grant to cover losses caused by the revolt. I had commenced an action against the local authorities to recover my losses, but at the instance of the Irish Attorney General, as I understand, my case and all similar cases have been struck out by the Recorder of Dublin, who would have dealt with them

Telephoned Messrs. Hume who dealt with Mr. Bussey's claim. They would not admit any claim for law costs

July 9/1916

in the ordinary course, and there
is now a Bill before Parliament (Civil
Courts Procedure) which provides that
no claim of the kind referred to above
shall lie against the local authority
for losses sustained during the rebellion.

Under these circumstances, I
respectfully submit that the law
costs incurred by me in this case
should be allowed.

I am,

Sir,

Your obedient Servant,

A. Cussen,

The Secretary

Property Losses (Ireland) Committee

51 St. Stephens Green

Dublin.

...exceptionally in this re-
do not think that any good
purpose would be served by my receiving
a deputation from the Dublin staff.

CIVIL COURTS PROCEDURE

TEXT OF THE BILL.

Income 28 July 18
The text of the Bill presented by the Attorney-General for Ireland to amend the law and the procedure of civil courts in Ireland in relation to conditions arising out of the disturbances was issued yesterday.

It provides that the period between April 24 and May 8 shall not be reckoned in computing the times limited for the doing of any act or the taking of any proceeding in any court in Ireland." Where any such act or proceeding "is directed or allowed to be done on a certain day," if that day fell within the period of the Act is to be considered as in due time if done or taken before the end of May 9.

Where the Court is satisfied on an application made within the prescribed time and in the prescribed manner that by reason of the recent disturbances any person has been or is unable to do an act or take a proceeding within the time limited in that behalf by any statute, order, rule, regulation, deed, or agreement, the Court may grant such extension of time and such further and other relief upon such terms and in such manner as appears to that court to be equitable.

Where any original documents required to be filed or lodged has been lost or destroyed, the High Court may authorise the filing of a properly authenticated copy.

In any action or proceeding for the recovery of a deed or other document or for damages for its loss or non-production it shall be a sufficient defence if it is proved that it was lost or destroyed in the disturbances.

No claim for compensation under any of the enactments relative to compensation for criminal or malicious injuries shall lie against the local authority in respect of any injury to person or property sustained in the course of the trouble.

The law is not to apply to criminal matters or proceedings.

MICHAEL CUSSEN ESQ.

to

A. O'HAGAN & SON, Solicitors

Dr.

C O S T S in connection with application
for compensation for damage to No. 25
Northumberland Rd. furniture and contents thereof

Date		Payments			Professional Charges	
1916						
May 4	Attendance on you when you called and informed us of the damage to your house and its contents during the recent rebellion and instructed us to make a Claim for Malicious Injuries					6 8
	Attendance at 25 Northumberland Road viewing premises and noting in a general way the amount of damage done					6 8
5	For preparing Information and Preliminary Notice and advising thereon					1 10 "
	Attending Mr. H. Kennedy B.L. settling Information and Preliminary Notice					6 8
	Paid him fee Received Information and Preliminary Notice settled by Counsel	3	3	"		
	Attendance with you before Magistrate (Mr. Daniel L. Ramsay) when you made Information					6 8
	Attendance at Police Courts to lodge same 6 Copies Preliminary Notice					6 8
	Paid postage and registration fees				1 6	3 "
	Letter to Head Constable Police Barracks Irish-town informing him that in the recent riots your house 25 Northumberland Road had been almost completely destroyed and that during					
	Forward	£	346		364	

1916

May 5

the period of the disturbance and riots
the body of a man was buried in the garden
near the conservatory and asking him to
take the necessary steps to have the body
removed

Like letter to the General officer commanding
Like to Mr. Joshua C. Manly Executive Sanitary
Officer Pembroke Urban District

Letter to Manager North British & Mercantile
Insurance Co. giving notice of the injury
to 25 Northumberland Road

Like letter to Manager Alliance Assurance Co.

9

Received letter from North
British & Mercantile Insurance
Co. denying liability in re-
spect of the Policy

Attendance on you when you called and handed us
paper parcel, envelope containing papers of
your own and envelope containing papers of
Mrs. Cussen for safe keeping and you in-
structed us to get Mr. Geo. P. Sheridan
Architect to meet you at 25 Northumberland
Road to report on the house and get esti-
mates &c.

Attendance on Mr. Sheridan Architect accordingly
explaining matter and instructing him and
we informed him he would be required to
give evidence &c.

10 Copy Information to lodge with Chief Clerk of
Police Courts to be certified 10 fcs.

Attendance lodging

Forward £

2 4 6 2 6 4

3 4

2 "

2 "

3 4

2 "

6 8

6 8

3 4

6 8

2 4 6 5 2 4

1916

Forward £

3 4 6 5 2 4

May 10

Copy of our letter of 5th. Inst., to Mr. Manly
 to send him and
 Letter to him therewith and asking him to give
 matter his immediate attention

Attendance on Alliance Assurance Co. (per tele-
 phone) when we were informed the Company
 were unable to trace any Policy effected
 by you

- 11 Letter to Secretary, Alliance Assurance Co. refer-
 ring to his telephone communication of yes-
 terday and that we had ascertained that
 your Policy was effected with the Imperial
 Assurance Company which Company was taken
 over by them

Attendance on you when you called to consult us
 with reference to obtaining valuation of
 furniture when you suggested Mr. J. F. Keogh
 conferring thereon when it was finally de-
 cided to leave matter over for a little
 while until we would see what was being done
 about valuations in similar cases and

- 13 Attendance on you when you called and instructed
 us to inform Mr. Sheridan Architect that
 you were most anxious he should proceed with
 the utmost despatch with his report on the
 house also with the Specification and obtain-
 ing of estimated and

Letter to Mr. Sheridan Architect accordingly

Received letter from Mr.
 Manly in reply that he under-
 stood the body of the man
 buried at 25 Northumberland
 Road had been removed

Forward £

3 4 6 5 12 4

1916

Forward £

3 4 6 5 12 4

May 13

For preparing and signing Notice of Application to the Court

10 "

4 Copies for service

2 "

Drawing and engrossing Affidavit of Service of preliminary Notices

2 6

Marking (2) Exhibits

2 "

Commissioner's fees

2 6

18

Received letter from Alliance Assurance Co. Ltd, in reply denying liability in respect of Policy

23

Attendance on you when you called and informed us that you had become a member of the Association of Property Owners and that you would yourself make out a statement of your furniture and household effects, later on a separate claim would have to be made by Mrs. Cussen for her jewellery and effects

6 8

June 1

Attendance on you when you called and informed us that you were about to examine your furniture in detail and asked us to advise you as to getting an appraiser when we informed you we thought you could make the report yourself and that your evidence would carry more weight

6 8

6

Letter to you informing you that your claim should come before the Recorder next week and we were inclined to think he would not deal with claims at all and ultimately the claims would have to be proved before the Committee appointed by the Government and asking for instructions as to briefing Counsel ; also asking you to send us your

Forward £

3 7 7 2 2

1916

June 6

Forward £

37 7 2 2

statement as to damage done to the furniture and Mr. Sheridan's report and that we proposed to notify your claim to the Military Authorities as we heard claims were being sent to them for damage done by soldiers

3 4

7 Attendance on you when you called and instructed us not to send Brief to Counsel at present but ^{to} watch the case on your behalf and you also instructed us to send notice of your claim to the Military

6 8

Letter to General Officer commanding accordingly giving notice of your claim and thereon

3 4

10 Attendance on you when you called and informed us that you were inclined to withdraw your claim against the Company, conferring thereon when you instructed us to arrange for a conference with Counsel to consider whether you should withdraw the claim whether an award by the Recorder of a grossly insufficient sum would prejudice the claim against the Government and whether the restoration of the house might be proceeded with

6 8

12 Received letter from Mr. Sheridan Architect giving the result of his inspection of 25 Northumberland Road

Attendance going through reading over and noting same

" "

Attending conference with Counsel at which you were also present, matter fully discussed when it was decided not to do anything until the Recorder had given his decision on the earlier cases to-morrow; and it was also

Forward £

37 8 2 2

1916	Forward £	27	8 2 2
June 12	arranged that you should write to Sir Robert Chalmers and that we should send in a claim for Mrs. Cussen		13 4
13	Attendance on you when you called and informed us cases adjourned		" "
16	Letter to General Officer Commanding giving Notice of Mrs. Cussen's claim for jewellery and wearing apparel		3 4
19	Attendance on you when you called and handed us particulars of your and Mrs. Cussen's claims and instructed us to send copies thereof to the Secretary of the Property Losses (Ireland) Committee 1916		6 8
	Copies of the following to send to the Secretary Property Losses Committee accordingly		
	Your claim for damage to house		1 "
	Like damage to furniture &c. 20 fos.		6 8
	Mrs. Cussen's claim in respect of clothes jewellery &c. 6 fos.		2 "
	Your letter to Sir Robert Chalmers		1 "
	Letter to Secretary Property Losses Committee enclosing particulars of claims and thereon also giving particulars of Insurances effected by you with the North British & Mercantile Insurance Co. and enclosing copy of letter written by you to Sir Robert Chalmers		3 4
23	Received letter from Major General i/c Administration Irish Command referring to our letter of 16th. Inst., and that he was unable to trace previous correspondence from us and asking for full particulars		

1916
May 23

Forward £

3 7 9 19 6

giving date regiment concerned,
name of Officer in charge if possible &c.

Letter to him in reply referring to our letter of 7th. Inst., acknowledged on his behalf by Colonel Taylor on 13th. Inst., and that the house was in the occupation of the Military from about 27th. April for more than a week and that we could not give him the name of the Regiment or Officer concerned

3 4

28 Attendance on you when you called and we showed you the letter received from Major General i/c Administration and you informed us that the Sherwood Foresters took possession of your house on the 26th. April; and you showed us form of Queries received from Property Losses Committee which it was decided you would complete yourself and also form for Mrs. Cussen

6 8

29 Letter to Major General i/c Administration Irish Command referring to our letter of 23rd. Inst., and that from inquiries we had now made it appeared that the rebels broke into the house on the 24th. April and that it was occupied by the Sherwood Foresters on the afternoon of April ²⁶ ~~28~~th

3 4

Attendance on you when you called and informed us that your house had been inspected by an assessor and you took away your two Policies of Insurance

6 8

Postages &c.

1 6

A. O'Hagan & Son
28th July 1916
- 7 -

3 5 6 9 19 6
3 5 6
£ 13 8

MICHAEL CUSSEN Esq

to

A. O'HAGAN & SON, Solicitors Dr.

C O S T S

A. O'HAGAN & SON
9 Harcourt Street
DUBLIN