

FISHER,
C.J.
&
GRIM-
SHAW,
P.J.
1924
} May 26

[FISHER, C.J. AND GRIMSHAW, P.J.]

ARETI G. VONTITSIANO

v.

1. GEORGHIOS KTORIDES

2. MARIA KTORIDES.

ACTION ON BOND—"UNTIL FINAL PAYMENT"—DELAY—INTEREST IN ADVANCE—
PRESCRIPTION—NON-PROTEST—NOVATION.

In November, 1916, Plaintiff advanced money to 1st Defendant on a bond. 2nd Defendant was guarantor. The bond was "until final payment." The bond fell due in 1917. Plaintiff did not protest the bond, but allowed Defendant 1 to pay up the interest due to date. From time to time Defendant 1 paid up the accrued interest until November, 1922, when Plaintiff demanded that Defendant 1 should pay not only the interest accrued but also interest for twelve months in advance, the latter interest being finally paid by Defendant 1 in July, 1923. Apparently Defendant 2 never asked about the bond, nor was given any information by the Plaintiff. The two Defendants are brother and sister and Plaintiff is a relative of both.

The District Court held that the bond was a commercial bond and was prescribed, and gave judgment for the two defendants. From this judgment the plaintiff appealed.

For Appellant (plaintiff) *Triantafyllides* and *Themistocles*.

For Respondents (defendants) *Paschalis*.

Judgment: Reversing judgment of the District Court. Appeal allowed. Judgment to be entered for plaintiff as claimed less £5 17s. 7cp. interest paid in advance, with costs of appeal.

FISHER,
C.J.
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P.J.
1924
} May 30

[FISHER, C.J. AND GRIMSHAW, P.J.]

POLICE

v.

IOANNIS HARALAMBOU ELLENA AND OTHERS.

RESERVED AREA—SHOOTING IN—GAME AND WILD BIRDS PROTECTION LAW NO. 15
OF 1911, AND NO. 38 OF 1922—INTERPRETATION LAW NO. 10 OF 1901.

An area was reserved by Order in Council dated 10th August, 1921, by virtue of powers vested in the High Commissioner under the provisions of the Game and Wild Birds Protection Law, 1911.

Law 38 of 1922 repealed the 1911 Law.

A Magisterial Court convicted the accused of shooting within an area reserved by Order in Council dated 10th August, 1921, and fined them.

Application by accused to set aside conviction on grounds of illegality.

For Accused *Mitsides*.

For Police the *Assistant King's Advocate*.