

“ he told Defendant all about the agreement with Ihsan, and that
 “ Defendant gave his permission. Defendant denies and we can only
 “ hold that Plaintiff has not proved conclusively that Defendant gave
 “ that permission.

“ We hold that the permission of the Mutevelli is essential. Therefore
 “ we find that Plaintiff is not entitled to be declared Mutessariff of the
 “ whole house.

“ As to the other points raised at issues:—

“ We are of opinion that the war between Turkey and England
 “ does not affect the position of Defendant. The Defendant administers
 “ independently of all outside authority property in Cyprus for local
 “ purposes.

“ We give judgment for Defendant, but as we consider he has been
 “ negligent we do not allow him costs.”

. *Judgment* : Judgment of District Court upheld.

Appeal dismissed without costs.

FISHER,
 C.J.
 &
 STUART,
 P.J.

MEHMED
 FAKHRI BEY
 MUHASE-
 BEDJI
 SADYK EFF.

v
 MEVLEVI
 SHEKHI
 JELAL

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

NESIFOROS DIAMANTIDES

v.

YEOURGHIOS DIAMANTIDES AND OTHERS

PROCEDURE—ESTOPPED ON APPEAL FROM RAISING OBJECTIONS TO JURISDICTION
 NOT RAISED BEFORE DISTRICT COURT.

FISHER,
 C.J.
 &
 STUART,
 P.J.
 1922

October 21

For Appellant (Plaintiff) *Themistos*.

Respondents absent.

Judgment : The only matter for which this case is important is that
 a single Judge of the District Court tried the case. At the trial Plaintiff
 did not object to the jurisdiction, but having lost before such Court he
 now raises the matter.

The file of the District Court contains nothing to show that the single
 Judge had no jurisdiction, and this Court holds that the objection to
 jurisdiction was not taken at the proper time and therefore Plaintiff
 is estopped from raising the matter now.

Appeal dismissed with costs.