

NETTLE-  
TON,  
C.J.  
&  
DICKIN-  
SON,  
P.J.  
1926

May 8

[NETTLETON, C.J. AND DICKINSON, P.J.]

POLICE

v.

YORGHO LIMBOURI COSTI AND OTHERS.

IMPOUNDING FEES—LAW 2. OF 1878, SECS. 58, 59, 60 AND 63.

*Question reserved by a Magisterial Court whether the owners of animals, admittedly astray and seized by the Rural Constable, are liable to pay impounding fees, when they take over the animals before the same have been shut up in the village pound.*

For Police the *Assistant Attorney-General*.

No appearance for Accused.

HELD: That inasmuch as the animals were seized by a Rural Constable whilst astray, they have become impounded by the Rural Constable, and it does not matter that he has not had time to shut them up in the pound provided for the purpose. The impounding fees are collectable consequently. In taking control of a large flock of sheep and goats the Rural Constable may very reasonably have to hire other persons to help him.

*Appeal No. 3118.*

NETTLE-  
TON,  
C.J.  
&  
DICKIN-  
SON,  
P.J.  
1926

May 12

[NETTLETON, C.J. AND DICKINSON, P.J.]

MICHAEL HAJI CHRISTOFI

v.

LOIZO CHRISTOFI ECONOMOU  
HAJI YORGHY ANDONI HAJI CONSTANTI (*Ex parte*).

*Hajipetrou* for Appellant (Defendant).

*Loizou* for Respondent (Plaintiff).

No appearance for *Ex parte*.

Appeal by defendant from an order of a single District Court Judge direct to the Supreme Court—Consent of all parties not obtained—Civil Procedure Law, 1885, section 96.—Rules of Court Order XXI., rule 8 and 9.

HELD: Unless there is consent of all parties affected an appeal will not lie to the Supreme Court from the order of a single Judge of a District Court. Civil Procedure Law, 1885, section 96.

*Appeal dismissed for want of jurisdiction.*