

Judgment: CHIEF JUSTICE: The Turkish text shows that it is not necessary to prove that the peace of the inhabitants was actually disturbed. It is sufficient if the disorder complained of was of such a nature as to be calculated to disturb the peace of the inhabitants. I cannot imagine circumstances to which the words of the article could more aptly apply than the facts of this case.

BERTRAM, J., concurred.

Appeal dismissed.

TYSER, C.J.
&
BERTRAM,
J.
—
POLICE
v.
ACATHOGLI
A. KOKKINI
AND OTHERS
—

[TYSER, C.J. AND BERTRAM, J.]

ZAPHIRIO MALAMATENIO,

Plaintiff,

v.

RATIB EFFENDI IRIKZADE,

Defendant.

TYSER, C.J.
&
BERTRAM,
J.
1907
—
Nov. 4
—

PRACTICE—COSTS OF APPEAL—ATTENDANCE OF PARTY FOR THE PURPOSE OF INSTRUCTING ADVOCATE.

As a general rule the costs of a party to an appeal from a District Court who attends an appeal for the purpose of instructing his Advocate are not allowable on taxation.

Review of Taxation. Appeal from the decision of the Registrar of the Supreme Court.

In this case (which was an appeal from the decision of the District Court of Paphos) the Plaintiff, who was himself an Advocate, attended the appeal for the purpose of instructing his Advocate, and included in his bill of costs the expenses of his travel and sustenance. The Registrar disallowed the expenses. The Plaintiff appealed.

Artemis for the Appellant.

The object of this appeal is to obtain a decision on the question whether a party to an appeal from a District Court, who attends the hearing of the appeal for the purposes of instructing his Advocate is entitled to his costs. I cannot contend in this case that there were any special circumstances which necessitated the attendance of the litigant.

G. Chacalli, for the Respondent, was not called upon.

Judgment: As a general rule the costs of a party attending an appeal are not to be allowed on taxation. There may be special circumstances under which the Court would allow such costs. As to that we express no opinion. There were no such special circumstances in this case.

Appeal dismissed.