

ADMINISTRATIVE PROCEDURE

INSTRUCTIONS FOR

LAND SETTLEMENT OFFICERS

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DEPARTMENT OF SURVEYS OPERATIONS FOR
LAND SETTLEMENT.

Arrangement of Programme.

1. The Commissioner of Lands and the Director of Surveys, in consultation with the Settlement Officers, will arrange periodically the programme of villages, detachments or special areas for land settlement purposes. The tenure of the village lands (Mefruz, Masha', partitioned Masha' etc.) will be indicated to the Director at the programme meeting.

Notice of Survey to Villages.

2. Prior to the commencement of the survey of a village or of a special area, the Director of Surveys will issue a notice under Section 10 of the Survey Ordinance 1929, stating the purpose of the survey and directing persons to demarcate the boundaries of their parcels.

Survey of areas owned by large Jewish Organizations.

3. Prior to the issue of the notice referred to in Instruction 2 in respect of an area, other than Masha', owned in whole or in part by a large Jewish Organization, such as the Jewish Agency, the Jewish National Fund, the Palestine Jewish Colonization Association, the Palestine Land Development Company, the American Zion Commonwealth, the Bayside Development Corporation, etc., the Director will inform the Commissioner of Lands.

4. The Commissioner of Lands will communicate with the Organizations and ask them to state if they have made a final parcellation of their land for ownership or purpose of lease.

They will be informed that

(a) if the parcellation made is not final, the survey will be postponed;

(b) if the parcellation made is stated to be final, the land will be surveyed for settlement of title operations and no re-parcellation will be allowed or given effect to until the Schedules of Rights have been forwarded to the Registrar for entry in the New Register when, if it is desired it would then be made as a post settlement mutation through the Land Registry;

(c) if they state that the land has not been parcellated and/or will not be parcellated, the survey and settlement operations will be carried

out, during which no parcellation, even if then desired, will be allowed or given effect to, and must await the completion of settlement when it would be made as a post settlement mutation through the Land Registry.

Formation of Registration Blocks.

5. The Director will cause the lands of each Mafruz village or special area to be divided into registration blocks and numbered and the parcels as demarcated by the claimants to be plotted on the provisional registration block plans and given provisional parcel numbers.

6. Registration blocks will normally co-incide with, or be sub-divisions of, the fiscal blocks previously prepared for rural taxation purposes.

7. Registration blocks will contain integral parcels.

8. In the case of a very large or long parcel which cannot be wholly comprised in a registration block, the block boundary may go across the parcel dividing it into two, the part in each registration block being treated as a separate parcel and given a separate number in the block in which it is comprised.

Numbering of registration blocks and parcels.

9. The registration blocks will be numbered serially throughout the country. The parcels will be numbered serially throughout each block commencing with the number one in each block.

Scale of Survey.

10. Registration blocks will generally be on a scale of 1:2500, but a larger scale, or the inset or supplementary plan system may be used where, in the opinion of the Director, this may be necessary or preferable to facilitate the survey and land settlement operations.

11. In a large area of land which is mainly uncultivated and uncultivable such as Mewat land etc., the Director will decide the scale of survey which would be decreased and the size of registration blocks increased to the utmost limit consistent with effective interpretation on the ground of the block boundaries shown on the plans.

12. If, nevertheless, such an area cannot be shown on one registration block plan, the area would be sub-divided for registration purposes into blocks bounded by permanent topographical features or by geographical lines defined and drawn between fixed points.

13. Parcels of cultivated land, claimed in private ownership, falling within such a block will be demarcated by the owners, then surveyed and indicated on the block plan.

Exclusion of village sites from settlement.

14. The Director will inform the Commissioner of Lands where he is of opinion that the built-on area of a village should be excluded from land settlement. This will normally be where the houses are of mud or rubble construction and are of little value. If the Commissioner of Lands agrees, the registration blocks for the village will include the HAWAKIR and the other cultivable land near the village site but no survey will be made of the area excluded.

Survey and Settlement of Parts of Villages.

15. Owing to the difficulty likely to be experienced in the survey of the hilly lands of a village and the time which the survey of such lands would require, as compared with that of the plain lands, and in order to complete as soon as possible the settlement of the more valuable and more easily developed lands in the plains, settlement operations, generally speaking, will be carried out first in the plains and the more easily surveyed lands in the foot-hills, leaving the settlement of the hilly lands to be provided for more slowly by separate programme.

16. The Director will consult with the Commissioner of Lands in regard to villages the lands of which are partly in the plains and partly in the hills, and the limits of the land in which settlement operations will be carried out having been decided, the Director will arrange for the survey and preparation of the provisional registration block plans of all the land within those limits.

17. If by direction of the High Commissioner a special area of land is to be settled, the Commissioner of Lands will arrange for the limits of the area to be indicated to the Director, who will then cause the survey and provisional registration block plans for the area to be made.

18. Where the survey is to be made only of part of the lands of a village, the lands will be comprised in one or more integral registration blocks.

Detached Lands.

19. If an area of land belonging to a village is separated from the main lands of the village, it will, notwithstanding, be treated for survey and settlement purposes as forming part of the lands of the village to which it belongs, provided the area is large enough to form one or more registration blocks. Such detachments may be categorized as follows:-

- (a) An area belonging to a village situated in the same sub-district, and large enough to form one or more registration blocks.
- (b) An area belonging to a village situated in an other sub-district, and large enough to form one or more registration blocks.
- (c) An area not large enough to form separate registration blocks.

20. In the case of Instruction 19(a), if the detached area is not known by a special name, the name to be used on the registration block plans, (schedules, etc.,) will be the name of the main village followed by "detached lands situated within _____ village" in brackets, e.g.:-

Jimzu (detached lands situated within Tire village).

21. In the case of Instruction 19(a), if the detached area is known by a name distinct from that of the main village, the form used will be as in the following example:-

Ghabet Miska (detached lands of Miska village).

22. In the case of Instruction 19(b), the form used must be varied to indicate that the main village is situated in another sub-district, as follows:-

- (1) If the detached area has no special name:-

Detached lands of _____ village
(_____ sub-district).

- (2) If the detached area is known by a special name:-

_____ (insert name) (detached
lands of _____ village _____ sub-
district).

23. In the case of Instruction 19(c) the detached area will not be treated as forming part of the lands of its main village, but will form one or more parcels in whichever registration block it is convenient to place them in the lands of the village in which they are situated, or to which they are adjacent.

Supply of small scale Maps and Village Diagrams for Settlement of Parts of Villages or Detached lands.

/seven 24. Where only part of a village, or only the detached land of a village, is to be settled, the Director will supply, on the application of the Settlement Officer, Central Office, ~~XXX~~/signed copies of a small scale map of the village of which part of the land is to be settled, or of the detached land, indicating thereon in blue the outside limits of the land to be settled, and in red the provisional registration block limits and numbers, and the square reference to the Sub-district village diagram. If the detached land is inhabited, an additional copy of the small scale map will be supplied on the application of the Settlement Officer, Central Office. (See Instruction 141).

Masha'

Survey of former/(held with definite shares) villages that have been partitioned prior to settlement.

25. Where a Masha' village has been partitioned under the guidance of an Advance Partition Officer, the Settlement Officer, Central Office, will consult with the Area Settlement Officer and, on the advice of that Officer, will inform the Director if the parcellation will be accepted at Land Settlement. The survey of the village and provisional registration block plans will then be made as for a divided (Mafruz) village.

26. Where a Masha' village has been partitioned by order of the court, or where it has been partitioned not by order of the court, but the parcellation has been registered in the Land Registry or has been in existence so long that the ownership of the parcels has become definite by prescription, the Settlement Officer, Central Office, will inform the Director, and the survey and provisional registration block plans will be made as for a divided (Mafruz) village.

27. Where a Masha' village has been partitioned, not by order of the court, nor

under the guidance of an Advance Partition Officer, and the parcellation has not been registered in the Land Registry, neither has the ownership of the parcels become definite by prescription, the Director will ascertain from the Surveyor, after his preliminary inspection of the land for survey purposes, if in general the parcels

(a) are very long;

(b) are less than 5 metres in width;
and/or

(c) have no access to roads or paths,

and will inform the Settlement Officer Central Office, who will consult the Area Settlement Officer and, on the advice of that officer, will inform the Director if the parcellation will be accepted at Land Settlement. The survey and provisional registration block plans will then be made as for a divided (Mafruz) village.

Survey of Masha' lands held with
Definite Shares.

28. Where the Masha' lands of a village, or of part of a village, or of a detached area, have not been partitioned, or if they have been partitioned and the Settlement Officer, Central Office, will not accept the parcellation at Land Settlement, the Settlement Officer will inform the Director, and the survey will then be made of the Masha' localities on a small scale and small scale maps prepared of the lands.

Survey of Masha' lands held with
Indefinite Shares.

29. Where the lands of a village are Masha' held in an indefinite number of shares, the Director will cause the lands to be divided into provisional registration blocks, (a complete Masha' locality comprising one or more blocks), and no block comprising land of more than one locality, unless two or more very small localities together suffice to form a registration block, in which case, in order to avoid a multiplicity of small blocks, two or more small localities may form one block.

30. A road or individually claimed parcel (Mafruz) which may be situated in a registration block will be shown and given a separate parcel number and the remaining Masha' land in the block will be shown as one parcel and numbered as such, unless the road or other feature divides the Masha' locality, in which case the Masha'

on each side of the division will be shown and numbered as separate parcels.

Scheduled Roads.

31. On the declaration of a Settlement Area, the Director will furnish the Director of Public Works with two copies of the topocadastral village sheets for the Settlement Area and two copies of a 1/20,000 road map or other suitable plan of the area.

32. At least two months before commencing the survey of a group of villages in the survey programme the Director will apply to the Director of Public Works for:-

- (a) the return to him of one copy of the road map showing the general alignment and width of each scheduled road in the lands of the group;
- (b) particulars of the scheduled roads in the lands of the group;
- (c) particulars of the sites of wadi-crossings and the disposition or modification of wadi-crossing alignments desired; and
- (d) indication on the road map, by means of distinct colouring or agreed conventional sign, of the alignment of roads which may have to be scheduled in the near future, accompanied by such full textual particulars as may be required.

33. On receipt of the maps and particulars the Director will arrange:-

In the case of scheduled roads:

- (a) In Masha' Lands - Demarcation of road to full scheduled width;
- (b) In Mafruz open lands - Demarcation of road to full scheduled width, where the owners of parcels concerned consent. If the owners of parcels do not consent, the boundary of the road will be the boundaries of the parcels affected, but the scheduled width of the road will be indicated by a dotted line on each parcel on the plan;
- (c) In Mafruz land with fixtures such as buildings, fences or trees - Similar action as in Mafruz open lands.

In the case of roads which will early require to be scheduled.

(d) In Masha' Lands - If the village Settlement Committee and, if there are adjacent mafruz parcels, also the owners of such parcels, consent, demarcation of the road to the width required by the Director of Public Works. If the Village Settlement Committee and/or adjacent owners do not consent, the proposed road boundary will be indicated on the plan by dotted lines where they do not co-incide with the existing road boundary;

(e) In Mafruz open lands, and Mafruz lands with fixtures, such as buildings, fences or trees - As in the case of scheduled roads, under sub-paragraph (b) above.

34. The Director will then arrange for revision of the village sheets and of the road map and forward a copy of the revised road map to the Director of Public Works and, on the issue of the final notification of settlement of a village, forward a copy of the road map to the Settlement Officer, Central Office.

35. At the survey for settlement purposes the limits of the scheduled roads will be demarcated on the ground and indicated with provisional parcel numbers on the provisional registration block plans.

Village Roads.

36. Existing village and inter-village roads, other than scheduled roads, will be demarcated on the ground and indicated as such with provisional parcel numbers on the provisional registration block plans.

37. If a road on the common border of the village and of an adjacent village is claimed entirely or in part by each of the villages, it may be entirely included in, or excluded from, the provisional registration blocks of the village at the discretion of the Director, but a note will be made on the plans indicating such exclusion or inclusion and that the road is claimed by the villages of _____ and _____. Even if the road is excluded from the village under survey, it will be indicated on the provisional block plan, in order that the Settlement Officer may know of its existence and that parcels abutting on it have access.

38. If an inter-village road between a village and an adjacent unsurveyed village, or between a village under survey and a 'settled' village, does not connect through the two villages, a note to that effect will be made on the provisional registration block plans in order that through connection may be ensured at settlement.

39. The Commissioner of Lands will notify the District Commissioner of the 'village programme' and will request that, if the District Commissioner decides that an existing village road is to be widened, or re-aligned, or a new road is to be constructed by the village, he will send a copy of his instructions to the Director. Any widening, re-alignment or new road which has been completed before the survey for settlement is completed and not otherwise will be surveyed and indicated on the provisional registration block plans.

Private Roads.

40. Private (single or party owned) roads will be demarcated on the ground by the owners, given provisional parcel numbers by the surveyor and indicated on the provisional registration block plans.

Railway Lines and Properties.

41. The Director will ask the Chief Engineer Palestine Railways to instruct his District Engineer to indicate to the surveyor the limits of the railway permanent way, the railway line crossings, and the sites of railway stations and of other railway immovable property in the village, for demarcation on the ground, where necessary, and for plotting on the provisional registration block plans.

Areas claimed by Government.

42. The Commissioner of Lands will notify the Director of Lands the village programme, and the Director of Lands will then send an official from his office to indicate to the surveyor, on the ground, the parcels (Mewat, Mahlul etc.) which are likely to be claimed by Government at Settlement, for demarcation and plotting on the provisional registration block plans.

Disputed Areas.

43. If the boundary of the village is disputed by an adjacent village, the disputed area on each of the outside registration blocks of the village under survey will be indicated on the provisional registration block plans, and will be given separate parcel numbers. Such parcels will be entered in the list of claimants (See Instruction 50) as "in dispute between _____ village and _____ village".

44. Where parcel boundaries are disputed, the area in dispute will be indicated as such on the plan and will be given a separate parcel number. Such parcels will be entered in the list of claimants (See Instruction 50) as "in dispute between _____ and _____".

Survey Trig. Points.

45. The position of Survey Trig. points will be indicated by the conventional sign on the provisional registration block plans together with their survey numbers.

46. The survey numbers of the trig. points in a registration block, and the numbers of the parcels in which they occur, will be entered in the form of a list on the block plan. If a trig. point is on a common boundary between two parcels it will be so stated and both parcel numbers entered in the list.

Land held on Lease.

47. Land which is claimed to be subject to a lease for a period exceeding three years, will be indicated by the word 'lease' on the plan, and will be similarly indicated with the name of the lessee in the list of claimants. (See Instruction 50).

48. If part only of a parcel is leased, the part leased, and the part not leased, will each be separately demarcated on the ground and indicated on the block plan as separate parcels, and will be given separate parcel numbers and entered separately in the list of claimants (See Instructions 47 and 50).

49. A lease for a period of three years or less will be ignored.

- (b) Two copies of each provisional block plan (examined); and
- (c) The list of claimants in each registration block (Instruction 50).

For Masha' Lands:

- (d) Two copies of the small scale map of the 'village' showing the limits of the Masha' localities outlined in red;
- (e) A list of the Masha' localities and their approximate areas;
- (f) Copies of registration block plans and lists of claimants as in subparagraphs (b) and (c) hereof for any Mefruz lands in the 'village'; and
- (g) One copy of the small scale map (a) and (d) to the Settlement Officer of the Settlement Area.

Monthly Return of Registration Block Plans available.

54. The Director will forward monthly to the Commissioner of Lands (with copy to Settlement Officer, Central Office,) a list, by village, of provisional registration block numbers of which

- (a) plans have been issued to the Settlement Officer, Central Office, during the month; and
- (b) plans are available for issue.

Amendments to Reg. Block Boundaries.

55. During the preliminary and final examination of claims, Settlement Officers may make minor amendments to the registration block boundaries as originally shown, so as to agree with parcel boundaries as ~~amended~~ may be amended by them, provided that the control landmarks are retained as fixed block-boundary points, and that no departure exceeding 150 metres is allowed at portions of a block-boundary intermediate between these points.

56. Should any amended parcel boundary depart from the original block-boundary by more than 150 metres, Settlement Officers will divide the parcel so that its outer portion is included as a separate parcel in the adjoining block.

Final Registration Block Plans.

57. On the completion of the final investigation of all undisputed rights in a registration block, and the settlement of any boundary disputes that may be necessary, the Settlement Officer, Central Office, will forward to the Director a copy of the original provisional registration block plan on which will be indicated the final position, form and number of each of the parcels in the block, and where a parcel is village or State Matruks, i.e. road, threshing-floor etc., or a private road, it should be so indicated. The plan will be endorsed as under by the Settlement Officer and will be signed by him:-

"Verified at public investigation on _____ 193 ____ . Director of Surveys to give effect to amendments and notes (if any) shown on this plan, the last parcel number in the block being No. ____ .
_____ copies of the final plan are required."

Note:- Three copies will be asked for where there are no disputes, and four copies if there are disputes, in the registration block. The fourth copy will be required for the Settlement Officer of the Settlement Area.

58. The Director will then arrange for a final plan of the registration block to be made to accompany the Schedule of Rights and for the area of each parcel to be computed, and will send to the Settlement Officer, Central Office, three (or four) copies (as asked for) of the plan signed by him, accompanied by a list of the parcel numbers with the area of each, and the survey fee payable on each, and at the same time return the original "verified" provisional registration block plan to the Settlement Officer.

59. On the submission of the Schedule of Rights to the Land Registrar, the Settlement Officer, Central Office, will sign the final plans and return one copy to the Director for retention.

Correction of Final Plan after
hearing of Dispute.

60. If at the hearing of a dispute, the Area Settlement Officer alters the boundary of any parcel, or makes two or more parcels of an existing parcel, or combines two or more parcels into one parcel, he will indicate these changes on the copy of the 'final' plan; after ascertaining from the Director whether there in the meantime have been any mutations in the block and what numbers should be used for the new parcels, he will renumber the new parcels, sign and return the plan to the Director, endorsed with any remarks that may be necessary to enable the Director to correct the plan.

61. The Director will then arrange for an amended plan of the block to be made to accompany the 'Amending Order' of the Settlement Officer, for the areas of the altered parcels to be computed, and will send three copies of the amended plan, signed by him, to the Settlement Officer of the Area, with a list of the amended parcel numbers, their areas and the survey fee, if any, payable on each, and will return at the same time the endorsed plan sent to him by the Settlement Officer who will sign the amended plans and return one copy to the Director for retention.

Partition of Masha' Lands at Land
Settlement by Settlement Officer.

62. After the posting of the Schedules of Rights to Shares, if there is no appeal in respect of a decision by the Area Settlement Officer in respect of the total number of shares, and if the share-owners do not elect to make the partition themselves, the Settlement Officer, Central Office, will forward a partition scheme to the Director, with:

- (a) A croquis showing the rough general arrangement of the parcels within the Masha' divisions, the direction of parcellation, the width of accommodation-roads, and the approximate position of any Mafruz parcels in the Masha'; and
- (b) A list in duplicate of the names of the owners of shares, the numbers of shares owned, grouped by croquis parcels in their order as from the drawing of lots for relative positions.

This list will contain additional blank columns under the headings:

<u>Block No.</u>	<u>Parcel No.</u>	<u>Area of Parcel</u>	<u>Survey Fees.</u>
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63. The Director will return one copy of the list to the Settlement Officer, Central Office, on completion of the partitioning in the manner provided for in these instructions, with the blank columns filled in.

64. The Director will cause the partition to be made, grouping, at his discretion, small parcels in one part of a Masha' division, and fixing the location and number of roads or paths to provide access to parcels, the Masha' sections divided into registration blocks, the parcels in the blocks numbered, and the registration block plans prepared. Any existing Mafruz parcels in the Masha' area will be numbered in the registration blocks in which they will be situated.

65. The Director will send preliminary copies of the registration block plans to the Settlement Officer, Central Office, for inspection and concurrence, before completing the final plans and demarcating the parcels on the ground.

66. The Director will then notify the villagers and the Village Settlement Committee (Form CL/90) the date when the parcellation of the land itself will be made in the presence of the owners of the Masha' shares and of the Village Settlement Committee, and will cause the persons to whom parcels are allocated to supply the necessary marks for the demarcation of their parcels, and will obtain a certificate (Form CL/91) from the Village Settlement Committee that the parcellation has been effected. In the event of a complaint he will notify the Settlement Officer, Central Office, who will investigate it.

67. The Director will then send to the Settlement Officer, Central Office, three signed copies of the final registration block plans of the parcellated Masha' land, accompanied by a list, by registration block, of the parcels, indicating what parcels, if any, were originally Mafruz, the names of the persons to whom they have been allocated, and the areas of the parcels, and the certificate of the Village Settlement Committee, to enable the Schedules of Partition to be compiled. On the submission of the Schedules of Partition to the Land Registrar, the Settlement Officer will sign the block plans

and return one copy of each block plan to the Director for retention.

Partition of Masha' Lands at Land Settlement by Share-Owners.

68. If the share-owners elect to make the partition themselves, on the completion of the partition and the demarcation on the ground, by the share-owners, of the parcels allotted to them at the partition, the Settlement Officer, Central Office, will cause a croquis of the parcellation to be prepared, by Masha' locality, with a list, in duplicate, of the parcels and the names of their owners, and will forward the croquis and one copy of the list to the Director.

69. The Director will cause the survey of the partitioned Masha' lands to be made, and registration blocks formed, and will send preliminary copies of the final registration block plans with lists of areas of parcels to the Settlement Officer, Central Office, for checking with his list of parcels and names of owners.

70. The Settlement Officer, Central Office, will return the preliminary plans, with any necessary amendments, to the Director, who will cause the final registration block plans to be made, and will send three signed copies of the plans to the Settlement Officer Central Office, accompanied by a list, by registration block, of the parcels, the names of the owners and the areas of the parcels, to enable the Schedules of Partition to be compiled. On the submission of the Schedules of Partition to the Land Registrar, the Settlement Officer will sign the block plans and return one copy of each block plan to the Director for retention.

Partition of Mafruz Parcels among Co-owners.

71. Where the co-owners of a Mafruz parcel desire the partition of the parcel to be made for them, the Settlement Officer, Central Office, will forward to the Director:-

- (a) a partition scheme with a list of names of owners of the shares in the parcel, and their respective shares;

- (b) a note explaining the method of partition suggested by him, or if the method is agreed by the share-owners stating the nature of the agreement;
- (c) if lots have been drawn, the result of the drawing of lots for relative positions; and
- (d) a croquis of the general arrangement of the proposed parcellation.

72. The Director will cause the partition to be made and the resulting parcels to be indicated to the co-owners of the original parcel, will direct the owners to demarcate their parcels and will obtain a certificate from them that the partition has been effected. The parcels resulting from the partition will be shown on the final registration block plan in lieu of the original undivided parcel.

73. If the co-owners are few in number and the scheme of partition is a simple one, or if the co-owners elect to make the partition themselves, it will be sufficient for the Settlement Officer to indicate by a note on the provisional registration block plan the manner in which the partition is to be carried out, quoting names of owners, shares or areas to be allotted, and any other necessary details.

Action in Village Sites under Section 27A of Land Settlement Ordinance.

74. If the provisions of Section 27A and the proviso to Section 30 of the Land Settlement Ordinance are to be applied to a village site, the Settlement Officer, Central Office, on the application of the Director, will indicate to the surveyor the boundaries of the area comprising the site of houses of small value and the buildings thereon for which Schedules of Rights and of Reputed Owners to Sites will be compiled.

75. The Director will send to the Settlement Officer, Central Office, six copies of the village map showing the outside boundaries of the village site.

76. The Director will cause provisional registration block plans to be made for the village site, numbers to be given to the parcels in each registration block, and the names of the reputed owners of the parcels to be recorded, or, where the reputed ownership of a parcel is disputed, the names of all the persons claiming rights in the disputed parcel. Where the

boundary of a parcel is in dispute the part in dispute to be indicated on the plan and given a separate parcel number.

77. The Director will then forward to the Settlement Officer, Central Office, two copies of the provisional registration block plans together with a list, in duplicate, giving the following particulars:-

- (a) Registration block numbers,
- (b) Parcel Numbers,
- (c) Areas of Parcels,
- (d) Brief description of the parcels (i.e. building site; building containing ___ rooms and yard).

Where the boundary of a parcel, or the reputed ownership of a parcel, is disputed the words "boundary in dispute" or "reputed ownership in dispute" will be inserted in the list against the parcel.

78. The Settlement Officer will, after deciding any disputes, amend the provisional registration block plans and the parcel numbers if necessary, and will sign and return one copy of each block plan to the Director as in Instruction 57.

79. The Director will arrange for final block plans to be made to accompany the Schedules of Rights and of Reputed Owners to Sites, and will send to the Settlement Officer, Central Office, three copies of the final block plans, signed by him, with a list of the parcel numbers, their areas and the survey/payable on any parcel.

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80. On submission of the Schedules of Rights and of Reputed Owners to Sites to the Land Registrar, the Settlement Officer, Central Office, will sign the final plans and return one copy of each plan to the Director for retention.

Recording of Names of Places, Persons etc. and Transliteration.

81. The system of transliteration officially adopted by Government will be used in all survey work for Land Settlement.

82. The equivalents in English of Arabic and Hebrew names given in the Transliteration booklet will be used for villages, names of persons etc.

83. In the case of an Arab claimant, the names of the claimant, of his father, of his grandfather and the family name, if any, should be stated. (But see Instruction 84).

84. In the case of a claimant with an Arabic name who has adopted a latin spelling of his name, the name as given by him should be used; e.g.:

Michel Touma, Kasem Osman,
etc.

But if no such spelling has been adopted, then his name as given by him should be used after transliteration in accordance with official system adopted by Government, e.g.:

Mikhail Tuma, Qasim 'Uthman,
etc.

85. In the case of names in Hebrew and other languages (other than Arabic) in which latin characters are not used (e.g., Greek, Persian and Russian names), the latinised form as given by the claimant should be followed. If no such latinised form is used, then the name should be transliterated in accordance with the system officially adopted by the Government.

Terms and Conventional Signs etc.

86. In the case of a Jewish village, instead of the word "village", terms should be used such as "Area of _____" "the lands of _____", "the agricultural settlement of _____", if no confusion would thereby arise.

87. The word "block" will be used only in reference:-

- (a) to an area which is a unit for registration purposes, i.e. a "registration block"; or
- (b) to an area which is a unit for valuation of land for the rural property tax, i.e., a "fiscal Block".

88. The survey conventional signs used in survey for Land Settlement are given in Appendix I.

Visits of Settlement Officers
to Department of Surveys.

89. Visits of Settlement Officers to the Survey Drawing or Area Office are often necessary for purpose of adjustment of minor details of block plans, such as adjustment of small residual parcels, re-alignments, etc. The Assistant Director or Senior Officer present should be consulted on each such occasion.

90. When Settlement Officers wish to consult the Director or Assistant Director, they will inform him in advance and arrange a time convenient to him.

Closing of Existing Register.

93. On receipt of the Settlement Notice referred to in Instruction 155, the Land Registrar will apply to the Director for a copy of the village map on which the Director will cause to be shown

- (a) the boundaries of the fiscal blocks and their names;
- (b) the boundaries and numbers of the registration blocks for the Mafruz land of the village and/or
- (c) the boundaries and names of ^{the} Masha' localities for the Masha' land of the village.

See also Instructions 992, 993, 994 and 995.

ACTION PRIOR TO COMMENCEMENT OF ACCEPTANCE
OF CLAIMS AND PRELIMINARY INVESTIGATION OF
CLAIMS IN A "SETTLEMENT VILLAGE".

Programme of Settlement.

121. The Commissioner of Lands will forward to the Settlement Officer, Central Office, and to Area Settlement Officers the "Settlement village programme" as arranged in collaboration with the Director of Surveys and Settlement Officers. (Instruction 1).

122. The Settlement Officer, Central Office, will inform Assistant Settlement Officers the names of the "Settlement programme villages" allocated to each of them.

123. Assistant Settlement Officers will take the villages allocated to them in the order in which they are stated in the programme.

124. If the registration block plans for a village (Instruction 53) are not available, or if for other reason a change in the programme is necessary, the Settlement Officer, Central Office, with the consent of the Commissioner of Lands, will amend the programme.

Safeguarding of Taxation and Govern-
ment Agricultural loans and charges.

125. The Commissioner of Lands will forward to the District Officers concerned the names of the villages in their Sub-Districts which have been included in the programme of settlement and will request them to forward to the Settlement Officer Central Office:-

- (a) A list of tithe-payers in the village with the amount of tithe due from each person for the current year and any arrears;
- (b) A list of Werko tax-payers in the village with the amount of Werko due from each person for the current year and any arrears;
- (c) A list of agricultural loan debtors, including loans secured by mortgage of the debtors land, with the full amount of the instalments, current and future, due from each person and any arrears of instalments and interest; and

- (d) A list of persons from whom other Government charges are due, with the category and amount of the charges against each person;

stating the full names (including the family name) of each person and, where he knows or is able to ascertain it, indicating the particular parcel on which instalments, or other Government charges, may be due, in such a manner as to enable the Settlement Officer to find the parcel on the ground without any difficulty.

126. If the lists have not been received by the Settlement Officer, Central Office, when the preliminary notice of settlement is issued, the Settlement Officer will request the District Officer to expedite their submission.

127. When the lists are received, the Settlement Officer, will forward them to the Assistant Settlement Officers concerned.

Appointment of Village Settlement Committees.

128. The Settlement Officer, Central Office, will forward to the Commissioner of Lands a list of the names of the villages or village detached areas on the programme, and the names of all the villages abutting on such villages or village detached areas, in order that Village Settlement Committees may be appointed for them.

129. If Village Settlement Committees have already been appointed for any of the villages, the Settlement Officer will, notwithstanding, include their names in the list.

130. The Commissioner of Lands will request the District Commissioner to appoint Village Settlement Committees for the villages on the list for which Committees may not have already been appointed and will inform/District Commissioner that the appointment of the Committees for the villages abutting on a village on the programme is for the purpose of protecting the interests of abutting villages when the boundaries of the village on the programme are examined and decided.

131. When the Committees have been appointed, the Settlement Officer, Central Office, will notify the names of the members of the Committees to the Assistant Settlement Officer concerned.

Preliminary Notice of Settlement.

132. Approximately six weeks before an Assistant Settlement Officer expects to complete the village in which he is working, he will inform the Settlement Officer, Central Office, to enable that Officer to prepare the preliminary notice of settlement for the next village on the programme of the Assistant Settlement Officer.

133. Approximately one month before the Assistant Settlement Officer expects to complete the village in which he is working, the Settlement Officer, Central Office, will issue to the next village on the programme of that Officer, the preliminary notice of settlement (Form CL/31) prescribed in Section 5 of the Land Settlement Ordinance.

Name of village on Preliminary
Notice of Settlement.

134. If the village is generally known by a name other than the name under which it has been proclaimed under the Palestine Order-in-Council, the name as proclaimed will be stated on the preliminary notice of settlement under the heading "Description" with the addition of the words "also commonly known as _____" and the name of the Sub-District in which the village is situated.

135. If the village name has not been proclaimed under the Order-in-Council the indication under the heading "Description" will be:

"known as _____ village"

followed by the name of the Sub-District in which the village is situated.

136. If the village name has not been proclaimed under the Order-in-Council, the Settlement Officer, Central Office, will notify the Commissioner of Lands in order that arrangements may be made for the name to be "proclaimed".

137. In the case of a Jewish village, instead of the word "village", terms should be used such as "Area of _____" "the lands of _____" "the agricultural settlement of _____", if no confusion would thereby arise.

Description of land in preliminary notice
where all the land of a village is to be
settled.

138. If all the lands of a village are to be settled the "Description" on the preliminary notice will be stated as follows:-

"The lands of the village of _____
in Sub-District of _____"

(See also Instruction 137).

139. If the built-on-area of the village is to be excluded from settlement operations the following will be added to the description in Instruction 138:-

"with the exception of the
built-on-area".

Description of land in preliminary notice
where only part of the village, or only
a detached area is to be settled.

140. If only part of the lands of a village, or only the detached land of a village, are to be settled, the "Description" on the preliminary notice will be stated on the following lines, employing or omitting the words in brackets as they may or may not apply, or substituting other words as may be found necessary in a particular instance:-

"The (detached) lands (commonly known as _____) belonging to the village of _____ in the Sub-District of _____ that are comprised in registration blocks Nos. _____ inclusive, as indicated generally and outlined in blue on a small scale map (of the village) signed by the Director of Surveys and the Settlement Officer, and posted together with this notice at the Office of the Settlement Officer _____ Settlement Area in _____, and at the office of the District Officer _____, and, on the commencement of the settlement, at the office of the Assistant Settlement Officer (in the village); that is to say, the lands included within the following boundaries (but excluding the village built-on-area):-

North

East

South

West

(This Notice does not apply to the lands of _____ otherwise/commonly known as _____)" .

Distribution and posting of small scale maps.

141. If only part of the lands of a village is to be settled viz: plain lands only, hilly lands only, detached land, etc., the Settlement Officer, Central Office, will obtain from the Director of Surveys seven copies (eight copies in the case of an inhabited detached area of a village) of the small scale map of the whole village, or of the detachment (Instruction 24), and will sign the maps.

142. The Settlement Officer, Central Office, will distribute the copies of the small scale maps as follows:-

- (a) 2 copies to the Commissioner of Lands together with the preliminary notice;
- (b) 1 copy to the Settlement Officer of the area for posting together with the preliminary notice;
- (c) 1 copy to the District Officer concerned for posting together with the preliminary notice;
- (d) 1 copy to the Assistant Settlement Officer concerned for posting together with the preliminary notice in his office in due course;
- (e) 1 copy posted in the Central Office together with the preliminary notice;
- (f) 1 copy to the Mukhtar of the village for posting in the village together with the preliminary notice in the case of the settlement of only part of the village or of an/inhabited detached village area; and
- (g) 1 additional copy to the Mukhtar of the village in the case of the settlement of an ~~xxxxxx~~ inhabited village detached area for posting together with the preliminary notice in that area.

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Distribution and posting of preliminary notice of settlement.

143. The Settlement Officer, Central Office, will distribute the preliminary notice as follows:-

	<u>English</u>	<u>Arabic</u>	<u>Hebrew</u>	<u>Remarks.</u>
Commissioner of Lands.	1	-	-	For information; and
	6	1	1	For notifying Depts. etc. in the case of settlement of only part of a village or of a village detached area.
District Commissioner	1	1	1	For information and posting on Notice board.
District Officer	1	1	1	For information and posting on Notice board.
Civil Magistrate	-	1	1	For information.
Mayor of Sub-District Headquarters.	1	1	1	For information and posting on Notice board.
Assistant Settlement Officer.	2	2	2	One copy for information and filing and one copy for posting in due course in his office (with the small scale map when settlement is to be made of only part of the lands of a village or the detached area of a village).
Central Office	1	1	1	For filing.
Central Office	1	1	1	For posting on Notice board.
Settlement Officer of Area	2	2	2	One for information and one for posting on Notice board.
Land Registrar	1	-	-	For information.

	<u>English</u>	<u>Arabic</u>	<u>Hebrew</u>	<u>Remarks.</u>
The Mukhtar of village.	-	1 <u>or</u> and	1	For information and posting in village in the case of the settlement of the whole village, or of only part of the village, or of an uninhabited detached area of the village; and
	-	1 <u>or</u> and	1	additional copy for posting in an inhabited detached area of the village.
The Mukhtar of each abutting village.	-	1 <u>or</u> and	1	For information and posting in the village.

Notification of Settlement to Departments.

144. The Commissioner of Lands will:

(a) cause to be inserted in the Palestine Gazette the preliminary notification of settlement;

(b) separately notify:

(i) the Chief Justice and ask for actions pending in the Courts to be heard;

(ii) Director of Public Works, General Manager Palestine Railways, Director of Lands and Attorney General to enable them to submit claims for Government rights and interests in lands; and

(iii) the Supreme Moslem Shari'a Council and the Chief Rabbinate to enable them to ensure that Wakf rights are claimed.

Court Attachments.

145. On receipt of the preliminary notice of settlement, the Land Registrar will compile and forward to the Settlement Officer, Central Office, a list of registered court attachments that are still in force, whether made prior or subsequent to 1920.

146. The Settlement Officer, Central Office, will forward the lists, when received, to the Assistant Settlement Officer concerned.

Attachments and Mortgages of Ottoman Agricultural Bank (in liquidation).

147. On receipt of the preliminary notice of settlement, the Land Registrar will compile and forward to the Director of Lands for submission to the Attorney General a list of attachments and mortgages of the Ottoman Agricultural Bank (in liquidation) to which they refer, to be claimed at the settlement of the village.

Other lists from Land Registrar.

148. The Land Registrar will not submit any lists other than those prescribed in Instructions 145 and 147, except as he may be directed by the Director of Lands, or requested by the Settlement Officer.

Settlement Notice.

149. About twenty days before the Assistant Settlement Officer anticipates completing his work in the village, he will notify the Settlement Officer, Central Office.

150. The Settlement Officer, Central Office, will cause to be prepared in his office the Settlement Notice (Form CL/33) prescribed in Section 7 of the Land Settlement Ordinance, for the village which is next on the programme of the Assistant Settlement Officer.

151. The Settlement Notice will be prepared in English and Arabic and /or Hebrew as may be required for the village, leaving the date of the Notice and the date of commencement of the settlement work not filled in.

Name of village and description of land in Settlement Notice.

152. The name of the village will be the same as may have been used in the Preliminary Notice of Settlement. (See Instructions 134, 135 and 137).

153. The "Description" of the land in the Settlement Notice will be worded as in the preliminary notice of settlement for the village (See Instructions 138, 139 and 140), except that in the case of the settlement of only part of the lands of a village or of a Detached Area, between the words "signed by the Director of Surveys and the Settlement Officer" and "that is to say" (Instruction 140), the reference to the posting of the small scale map will be stated as follows:-

"copies of which are posted together with the Preliminary Notice of Settlement at the office of the Settlement Officer _____ Settlement Area in _____, and at the office of the District Officer, and on the commencement of the settlement, at the office of the Assistant Settlement Officer in the village".

Distribution and posting of Settlement Notice.

154. The Settlement Notice forms will be sent to the Assistant Settlement Officer concerned to complete and sign and distribute as provided in Instructions 155 and 156.

155. The Assistant Settlement Officer will complete and sign the Settlement Notices and distribute them as follows--(See also Instruction 156):

	<u>English.</u>	<u>Arabic</u>	<u>Hebrew</u>	<u>Remarks.</u>
Commissioner of Lands.	1	-	-	For information.
District Commissioner	1	1	1	For information and posting on Notice board.
District Officer	1	1	1	For information and posting on Notice board.
Mayor of Sub-District Headquarters	1	1	1	For information and posting on Notice board.

	<u>English.</u>	<u>Arabic</u>	<u>Hebrew</u>	<u>Remarks.</u>
Assistant Settlement Officer.	2	2	2	One for filing and one for posting in his office in due course.
Central Office	2	2	2	One for posting on Notice board and one for filing.
Settlement Officer of Area	2	2	2	One for information and one for posting on Notice board.
Land Registrar	1	-	-	For information.
The Mukhtar of village.	*-	1 <u>or</u> <u>and</u>	1	For information and posting in village in the case of the settlement of the whole village, or of only part of the village, or of an uninhabited detached area of the village; and
	-	1 <u>or</u> <u>and</u>	1	additional copy for posting in an inhabited detached area of the village.
The Mukhtar of each abutting village.	-	1 <u>or</u> <u>and</u>	1	For information and posting in the village.
Each Member of Village Settlement Committee	-	1 <u>or</u> <u>and</u>	1	For information.
Each Member of Village Settlement Committee of abutting village	-	1 <u>or</u> <u>and</u>	1	For information.
Land Court.	1	-	-	For information.
Civil Magistrate	-	1	1	For information.

156. The copies of the Settlement Notice that are required for Government Departments will be forwarded by the Assistant Settlement Officer to the Settlement Officer, Central Office, for distribution. The copies for the Mukhtars and members of the Village Settlement Committees of the village to be settled and of the abutting villages will be distributed by the Assistant Settlement Officer if the villages concerned are near to his camp, or will be forwarded by him to the Assistant Settlement Officer nearest to the village concerned, or to the Settlement Officer, Central Office, for distribution, as he may be instructed by the Settlement Officer, Central Office.

General Notification of Settlement.

157. The Commissioner of Lands will cause to be inserted in the Palestine Gazette the final notification of settlement.

Plans and Diagrams for settlement purposes.

158. The Settlement Officer, Central Office, will obtain from the Director of Surveys:

In the case of Mafruz land -

- (a) 3 copies of the small scale map of the 'village';
- (b) 2 copies of each of the provisional registration block plans of the 'village'; and
- (c) the list of claimants and areas (See Instructions 53 and 50).

In the case of Masha' land -

- (d) 2 copies of the small scale map of the 'village' showing the limits of the Masha' localities outlined in red;
- (e) a list of the Masha' localities and their approximate areas;
- (f) copies of registration block plans and lists of claimants and areas as in sub-paragraphs (b) and (c) hereof for any Mafruz lands in the 'village' (See Instructions 53 and 50); and
- (g) one additional copy of the small scale map (a) and (d) which the Settlement Officer will send to the Area Settlement Officer concerned.

Settlement of village sites under Section 27A of the Land Settlement Ordinance.

159. The Settlement Officer, Central Office, will forward to the Commissioner of Lands the six copies of the village map referred to in Instruction 75 with his recommendation for the application of Section 27A to the village site.

160. If the Commissioner of Lands approves, he will sign the six copies and return them to the Settlement Officer for distribution as follows:-

- 1 copy to the Director of Surveys.
- 1 copy to the District Commissioner, of the District.
- 1 copy to the District Officer, of the Sub-District.
- 1 copy to the Registrar concerned.
- 1 copy to the Assistant Settlement Officer of the village concerned, and
retain one copy in his office.

161. The Commissioner of Lands will publish in the Gazette the notice prescribed under Section 27A(1).

RECORDING OF MEMORANDA OF CLAIMS, PRELIMINARY INVESTIGATION, COMPILATION AND PUBLICATION OF SCHEDULES OF CLAIMS BY ASST. SETTLEMENT OFFICER.

Authority and Responsibility of Assistant Settlement Officers.

181. All the work of the Assistant Settlement Officer is on behalf of the Settlement Officer of the Area and is subject to the immediate direction and control of the Settlement Officer, Central Office.

182. In addition, certain functions, which as prescribed by Ordinance shall be performed by the Settlement Officer, are normally specifically delegated to the Assistant Settlement Officer by Order of the High Commissioner, such as:

- (a) Issue of the notice of settlement to individuals who have interests recorded in their names in the unofficial land book of a village (Section 12 of the Correction of Land Registers Ordinance No. 12 of 1926);
- (b) Action under the Land Settlement Ordinance in Sections 7, 8, 9, 21, 22(1), 22(3), 24, 26, 27(5), 27A; and
- (c) under paragraph 4(iii)(a) and (b) of a 'Minima' Order made by the High Commissioner under Section 33 of the Land Settlement Ordinance.

183. The Assistant Settlement Officer must exercise the greatest care to ensure that all his work and that of the field clerk is correct and complete in every particular. If the correction of avoidable errors or omissions entails expenditure of public funds, the expenditure will be charged to the A.S.O. and if it entails a special journey to the village or elsewhere, he may be required to make that journey, or to provide for it, at his expense, and not be granted transport or travel allowance for the journey and field allowance for the time spent in correcting such errors and omissions.

184. If the A.S.O. is in any doubt as to procedure he will apply to the Settlement Officer, Central Office, for guidance.

185. The A.S.O. and the field clerk will conduct an active propaganda in the village impressing on land owners the advisability of obtaining from the Land Registry the certificates of registration of their rights in the New Registers resulting from Land Settlement and the advisability of registering in the Land Registry

all transactions which are made subsequent to land settlement operations.

186. The A.S.O. and the field clerk will impress upon land owners the advantage of security of title and facility for credit and development purposes which accrue from titles duly recorded in the Land Registers. They will also emphasize the disadvantage and risk of loss which may be entailed in the event of the registration of their rights in land being left incomplete, particularly in judicial proceedings which in any way affect the land in which they have interests, if such interests have not been duly registered in accordance with the law.

Survey Conventional Signs.

187. The A.S.O. will note and will use the survey conventional signs given in Appendix I (Instruction 88).

Transliteration.

188. The A.S.O. will use the official system of transliteration issued by Government, and the equivalent in English of Arabic and Hebrew names in the Transliteration Booklet for villages, names of persons etc.

If such names have been incorrectly stated in the survey plans, lists etc. he will use the correct terms in his work.

Documents and information to be obtained before commencement of work in a village.

189. Before proceeding to a 'settlement village', the A.S.O. will obtain from the Settlement Officer Central Office:

- (a) (i) the village diagram;
- (ii) one copy of the small scale map of the 'village' (Instruction 158(c) and (d)).

In the case of Mafruz land -

- (iii) two copies of the provisional plan of each registration block (Instruction 158(b) and (f));

- (iv) the list of claimants and areas (Instruction 158(c) and (f)).

In the case of Masha' land -

- (v) the list of Masha' localities and their areas (Instruction 158(e));
- (b) the report of the Advance Partition Officer under whose direction the Masha' lands of the village may have been partitioned in advance of settlement;
- (c) the list of tax-payers prepared by the District Officer, (Instruction 125);
- (d) the list of Court attachments prepared by the Land Registrar (Instruction 145);
- (e) the list of members of the Village Settlement Committee for the 'settlement village' and of the villages abutting thereon (Instruction 131);
- (f) a supply of stationery, forms etc., and, from the Land Registrar;
- (g) the unofficial land book of the village, if there is one.

Inspection of Land Registers.

190. The A.S.O. will proceed to the Land Registry and note from the Yuklama, the Daimi records and the Land Registers:-

- (a) the registered category of the land;
- (b) whether the land is registered as Mafruz or Masha', and, if Masha', in how many localities and their names, and the total number of shares in Masha' as registered;
- (c) the date of the Yuklama registration;
- (d) if any or many entries have been transferred from the Yuklama to the Daimi records and the Registers kept in English since 1920;

- (e) if there are Registers kept in English, whether many transactions have recently been registered.

(See Instruction 208).

191. The A.S.O. will ascertain from the Land Registrar if any of the Ottoman Registers and records were lost, and if so request permission to examine such documents as may be available and make extracts of any particulars or information which may be of value in the preliminary and final examination of claims. (See Instruction 208).

Reconnaissance and Report.

192. On arrival in the 'settlement village' the A.S.O. will make a reconnaissance of the lands of the village.

193. The A.S.O. will summon the members of the Village Settlement Committees of the 'settlement village' and of the villages abutting thereon by notice to attend at a specified place time and date, to accompany him on an examination of the boundaries common to the 'settlement village' and the abutting villages.

194. He will compare the 'settlement village' boundary on the ground as indicated by the Village Settlement Committees with the village boundaries as indicated on the provisional registration block plans.

195. If the boundary indicated and concurred in by the Village Settlement Committees is in conflict with the boundaries on the provisional block plans, he will cause the boundary agreed by the Committees to be demarcated and will amend the block plans.

196. If any part of the 'settlement village' boundary is disputed and the disputed part has not already been shown as such on the block plans, he will cause the disputed part to be demarcated and will indicate the disputed part on the plans.

197. The A.S.O. will ascertain:

- (a) whether there are any enclaves (detached lands) of other villages situated within the boundary of the 'settlement village' and will note the registration block and parcel numbers of such enclaves;

- (b) whether the 'settlement village' has any enclaves (detached lands) situated in the lands of other villages and where they are so situated.

198. If the lands of the 'village' are registered as Masha' and are held as Mafruz, or if previous to partition however registered, or if not registered, were held as Masha', the A.S.O. will ascertain:

- (a) when the present partition was made;
- (b) the general lines of the partition;
- (c) whether the partition was made voluntarily by the share owners themselves, or under the guidance of the District Officer, or if it was made by order of the Court;
- (d) the names of the Hamulehs or Ruba's or other recognized groups of the villagers;
- (e) whether partition was first made between the Hamulehs, Ruba's or other groups and when, and which localities were allotted to each such group;
- (f) which registration blocks of the 'village' lands comprise or are comprised in, particular localities; and
- (g) whether any persons assert that their shares in the Masha' were not provided for when the partition was made.

199. If the lands of the village are held as Masha', the A.S.O. will ascertain:

- (a) how the lands are registered;
- (b) the names of the Hamulehs, Ruba's or other groups of the village;
- (c) the number and names of the Masha' localities;
- (d) if the Masha' has been partitioned between Hamulehs or other recognized village groups, the names of the groups and their Masha' localities;

- (e) the total number of shares in the 'village';
- (f) the total number of shares in each locality;
- (g) if the Masha' has been partitioned between Hamulehs or other recognized village groups, the total number of shares of each group;
- (h) whether the share owners desire the partition of their Masha' and if they wish to carry out the partition themselves after the Schedules of Rights to Shares have been posted, or prefer the actual partition to be made by the Settlement Officer and the Department of Surveys.

200. If the share owners of Masha' desire the partition of the Masha' and

- (a) elect to carry out the partition themselves, the A.S.O. will inform them that an adjustment of parcels or parcel boundaries may be refused by the Settlement Officer should it appear, after the survey of their parcellation has been made, that they have not allotted areas accurately for shares, and that, if gross errors in areas allotted for shares are discovered, the Settlement Officer may refuse to accept their parcellation and may require them to engage at their expense a licensed surveyor to re-arrange the partition;
- (b) wish the partition to be made by the Settlement Officer and the Department of Surveys, the A.S.O. will explain the system of partition and inform them that the areas of the resulting parcels will represent the accurate equivalent value of each share-owner's shares in the Masha'.

201. If the co-owners of a Mafruz parcel who desire the partition of the parcel and

- (a) elect to carry out the partition themselves, the A.S.O. will inform them that they must do the partition before the recording of claims and then each claim the parcel allocated to him as a result of the partition;

- (b) wish the partition to be made by the Settlement Officer, the A.S.O. will inform them that the partition would be made after the recording of claims had been completed and then only in the case of parcels of which the claimants were the registered co-owners.

202. If any part of the lands of the village is held on a system of joint customary Masha' tenure in an indefinite number of shares, the A.S.O. will ascertain:

- (a) the qualifications which entitle persons to be allotted land at the periodical re-distribution of the land;
- (b) the periods at which re-distribution is made;
- (c) what, if any, conflicting statements are made as to the qualifications for allotment of land and/or periods of re-distribution; and
- (d) whether there are any Mafruz parcels within the area stated to be subject to the joint customary Masha' tenure and whether the tenure of such parcels as Mafruz is, or is likely to be disputed.

203. If the Masha' is held in definite shares and has not been partitioned, the A.S.O. will examine the boundaries of the Masha' localities on the ground and compare them with the village map and/or plans.

204. If there are any Masha' locality boundaries disputed, the A.S.O. will cause the areas concerned to be demarcated by the disputants and will indicate them on the village map.

205. If the "asha' is stated to be held in indefinite shares, the A.S.O. will similarly examine the Masha' locality boundaries on the ground, and if there are any boundary disputes between localities, or if there are Mafruz parcels in any of those localities and the boundaries between the Masha' and the Mafruz parcels are disputed, will cause the disputed areas to be demarcated by the disputants, and will indicate them on the village map and/or plans.

206. The A.S.O. will summon the Village Settlement Committee and as many of the villagers as may be possible to a meeting in the village and will inform them

- (a) the purpose and general procedure of land settlement;
- (b) the general principles of the Order prescribing Minima of areas and breadth of parcels for registration and emphasize the advisability of exchanging parcels and shares that are likely to be subject to elimination under the Minima Order, by amicable agreement among themselves, or, where exchanges are impracticable, of transferring such parcels or shares against cash compensation, in order to save themselves, at a later date, the trouble and expense of proceeding to the Land Registry if compensation for eliminated parcels or shares is ordered by the Settlement Officer and is entered on the Schedules of Rights as charges against parcels;
- (c) that, after he has completed his work and has left the village, no renunciations of rights will be permitted during the settlement operations except by claimants who may be registered owners, and then only at the Land Registry if the Settlement Officer allows the transaction on grounds of urgency;
- (d) that, as he could not permit his work to be delayed or interrupted during the recording of claims, persons who contemplate making any transactions should complete the transactions before the recording of claims to parcels or shares, failing which the transactions may have to be postponed until the Schedules of Rights have been posted, and would then have to be made at the Land Registry;
- (e) the importance of settling their disputes by amicable agreement, thereby saving themselves trouble and expense and the payment of fees for the hearing of actions by the Settlement Officer, the scale of fees being those payable in actions before the Land Court;

- (f) that wherever title to land has been acquired by inheritance, to support the claim by a certificate of inheritance, and that if such certificates have not already been obtained from the Land Settlement Qadi, they will be required to obtain them from the ordinary Shari's Courts;
- (g) that persons claiming that their parcels or shares are registered will be required to submit Kushans or Certificates of Registration in support of the claims; and
- (h) that documents submitted in support of claims must be duly stamped in accordance with the Stamp Duty Ordinance, failing which they will be refused.

207. In the case of partitioned Masha' land, the A.S.O. will:

- (a) examine the provisional registration block plans and will ascertain whether in general the parcels are unduly long and narrow or are of such dimensions as to make inadvisable the acceptance of the partition by the Settlement Officer under Section 23 of the Land Settlement Ordinance;
- (b) ascertain whether roads or paths have been provided, giving access to all, or at least to a large majority, of the parcels; and
- (c) if a large number of parcels are not provided with access roads or paths, direct the Village Settlement Committee to arrange for such facilities by amicable agreement among the owners, and inform them that in the absence of such facilities the Settlement Officer may refuse to accept the partition.

208. On completion of the reconnaissance, the A.S.O. will submit detailed reports, in duplicate, to the Settlement Officer, Central Office:-

- (a) of the conditions in the village, the information ascertained, the action taken by him under each instruction of this section and by the villagers as result of his explanations and directions; and

- (b) of the information obtained from the Land Registry under Instructions 190 and 191.

Recommendations for Minima of Area and Breadth of parcels.

209. The A.S.O. will attach to his reconnaissance report, his recommendations for minima of breadth and areas of parcels for the 'village'.

210. If, in his recommendations for the Minima Order, the A.S.O. suggests minima other than have been usually prescribed for villages which have already been settled, he will state his reasons for the recommendations.

Acceptance of Partition by Settlement Officer.

211. In the case of Masha' lands which have been partitioned by the share-owners of the Masha' less than ten years and the resulting parcels have not been registered in the Existing Register, the A.S.O. will obtain from the Village Settlement Committee an application in writing, addressed to the Settlement Officer of the Settlement Area for the acceptance of the partition under Section 23 of the Land Settlement Ordinance.

212. The application for acceptance will be signed by all the members of the Village Settlement Committee and will state if the application refers to all the lands of the 'village' or to part only of the lands.

213. If the application refers only to part of the lands of the 'village' the names of the localities to which it refers will be stated.

214. The A.S.O. will forward the application to the Settlement Officer, Central Office, with his recommendations.

215. If the application is in respect of only part of the lands of the 'village', the A.S.O. will state in his recommendations the English transliteration of the locality names and the numbers of the registration blocks comprising each locality.

Villages with unofficial Land Books.

216. The A.S.O. will compile from the unofficial Land Book:-

- (a) A list of persons resident in Palestine, but not resident in the village, whose addresses he is able to obtain from the Village Settlement Committee;
- (b) A list of persons resident outside Palestine whose addresses he is able to obtain from the Village Settlement Committee; and
- (c) A list of persons whose addresses he is not able to obtain.

217. The A.S.O. will send to the Settlement Officer, Central Office, the lists of persons in sub-paragraphs (a) and (c) of Instruction 216 for action under Instruction 982.

218. With regard to the persons included in sub-paragraph (b) of Instruction 216, the A.S.O. will forward individual notices (Form CL/55) to each person and will attach a Memorandum of Claim Form for each parcel in respect of which the person has any interest recorded or registered.

219. The A.S.O. will ensure that letters sent abroad are properly and clearly addressed, that they are sufficiently stamped with postage stamps, and that the official address of the Settlement Officer Central Office is written on the upper left hand corner of the envelope in order that the letter may be promptly returned if the addressee cannot be found by the Postal Authorities.

220. The A.S.O. will retain the unofficial Land Book for reference in the preliminary investigation of claims.

Village Settlement Committees.

221. The duties of the Village Settlement Committee are set out in sections 14 and 15 of the Land Settlement Ordinance.

222. The A.S.O. will note that he must obtain the approval of the Settlement Officer, Central Office, for any delegation of their duties by the Village Settlement Committee to any of the members.

223. The A.S.O. will not in any way at any time suggest to the Village Settlement Committee that they should apply for remuneration, but if they should submit an application for remuneration he will not deal with it but will refer the applicants to the Settlement Officer, Central Office.

224. If a member of the Village Settlement Committee desires to resign from the Committee, or if a member dies, the A.S.O. will inform the Settlement Officer, Central Office, and submit his recommendation for a substitute to be appointed.

225. If a member of the Village Settlement Committee does not carry out his duties satisfactorily, or if for any reason his retention on the Committee is not desirable and is the cause of delay or obstruction in settlement work, the A.S.O. will report the facts to the Settlement Officer, Central Office, and submit his recommendation for a substitute to be appointed.

Progress Notices, Orders to attend etc.

226. The A.S.O. will publish progress notices from time to time for the due performance of his work:-

- (a) ordering the attendance, at a specified time and place, of claimants to parcels in the registration blocks;
- (b) ordering claimants to point out the boundaries of the parcels which they claim, to demarcate them if they have not yet been demarcated and, if the marks have disappeared, to replace them;
- (c) calling the attention of claimants to the consequence of concealing any interests in their parcels which are enjoyed by other persons, such as mortgages, leases, attachments, servitudes, co-partnerships, etc.; and
- (d) will issue summonses, notices or orders for the attendance of any person, or the production of any document, that he may deem necessary to enable him to carry out the preliminary investigation of claims.

Fines and Penalties.

227. If, in the exercise of the powers delegated to him under Section 9(c) of the Land Settlement Ordinance, the A.S.O. inflicts a fine on any person for non-compliance with a summons or order issued to such person, he will immediately report to the Settlement Officer, Central Office, stating the date of infliction of the fine, the name of the person fined, the amount of the fine, a brief statement of the default and the reason why he considered it essential to take such action.

228. If the A.S.O. is of opinion that a person should be proceeded against under Section 66 of the Land Settlement Ordinance, he will fill in a Contravention Form (Appendix II), in duplicate, altering the wording in the part Charge to suit the particulars of the case and will forward both copies of the Form to the Settlement Officer, Central Office.

229. The attention of the A.S.O. is drawn to Section 4 of the Law of Evidence Amendment Ordinance, 1924, which provides that no judgment can be given in any case on the evidence of a single witness, unless such evidence is admitted by the accused person, or is corroborated by some other material evidence which, in the opinion of the Court, is sufficient to establish the facts.

Field Investigation Prior to Recording
of Claims.

251. The A.S.O. with the members of the Village Settlement Committee and the claimants to the parcels in a block will proceed to the block at the time specified in the notice issued as directed in Instruction 226.

252. Commencing from a boundary of the block and proceeding consecutively throughout the block, the claimants will be directed to indicate the boundaries of their parcels which the A.S.O. will examine and compare with the parcels plotted on the provisional plan of the block (Instruction 189(a)(iii)).

253. At each parcel and before proceeding to another parcel, the A.S.O., from information given by the claimant and from his own observation, will enter the particulars of the parcel as required on the Field Investigation Slip (Form CL/47).

254. The A.S.O. will also have a book in which he will note matters in regard to which claimants may not be able to give him the full particulars required or in regard to which he may think it necessary to make additional enquiry. He will also enter in the book notes on any amendments which he may make on the provisional block plan during the examination of the parcels and their boundaries.

255. The A.S.O. will verify that the boundaries of the parcels as pointed out by the owners on the ground agree with the boundaries shown on the block plan in order that there may be no doubt that the parcels which have been pointed out to him on the ground and which are claimed in the Memoranda of Claims and settled under the Land Settlement Ordinance and entered on the Schedule of Rights are correctly shown on the block plans.

256. While it is realised that the A.S.O. is not a surveyor, he is expected to take all reasonable steps to ensure the accuracy of the block plans on which the registration of the parcels will be based.

257. If the parcels are of long strip dimensions (MAWARIS), the A.S.O. will measure the extreme ends of the parcels and will compare his measurements with the approximate measurements according to scale of those ends of the parcels on the block plan.

258. If the parcels are not of long strip dimensions and their measurement would be difficult, the A.S.O., without taking undue time for it, will satisfy himself generally that the boundaries shown on the plan co-incide with those indicated to him by the claimants on the ground.

259. If the measurements made on the ground do not seem to agree with those of the block plan, the A.S.O. will check his measurements made on the ground and, having ascertained that the boundary as indicated by the claimant is not disputed by the owner of the abutting parcel as being the common boundary of the two parcels, he will immediately amend the block plan in pencil giving the measurement found by him, and in his explanation of his amendment of the plan will add that according to the plan the measurement was approximately..... metres while from his measurement on the ground he found it to be approximately.....metres. (See also Instructions 277-279).

260. If, since the survey was made, the parcel has been subdivided among co-owners, the A.S.O. will ensure that the resulting parcels are correctly demarcated, will measure the parcels and immediately amend the block plan in pencil indicating on the plan the type of mark used for the demarcation and his measurements of the parcels resulting from the subdivision (See also Instructions 277-279).

261. The A.S.O. will train his labourers to measure distances and will use them for that purpose in order that his field inspection of parcels may proceed rapidly.

262. If the parcel is owned by a number of co-owners and the names of all the co-owners can be obtained correctly only by reference to the Certificate of Inheritance or other valid documents, the A.S.O. will enter on the Field Investigation Slip such particulars of ownership as will enable him without question to identify the parcel when the Memorandum of Claim is submitted e.g.:

(a) "Heirs of Muhammed 'Ali al Mughrabi".

(b) "Sa'id Muhammad 'Ali, heirs of Ahmad Muhammad 'Ali, and partners".

263. If the ownership of part of the parcel is disputed, or if a part of the parcel is separately mortgaged or leased for a period exceeding three years, or is claimed to be owned in different shares from the remainder of the parcel, the A.S.O. will direct the persons

concerned to demarcate such part separately from the remainder of the parcel and he will then treat the several parts of the parcel for all purposes as separate parcels, will measure each separately and amend the block plan and, if necessary, will state his explanations thereon as provided in Instructions 259 and 260. (See also Instructions 277-279).

264. The A.S.O. will ascertain and enter on the Field Slip under the heading 'Observations', any right of way, or mortgage, or lease, or other registrable interest that may affect the parcel.

265. If there are trees, or buildings, or wells, or other constructions or installations in the parcel, the A.S.O. will ascertain the date of the planting or construction and enter the date on the Field Slip with particulars of the trees or buildings etc. including the type of construction and the number of floors and rooms in the building. (See also Instructions 305 to 328).

266. If there are any constructions on the parcel which have not been shown on the block plan, the A.S.O. will indicate them on the plan as near as possible in the location which they occupy in the parcel on the ground.

267. If the A.S.O. finds that buildings etc. which are shown on the plan are of a temporary nature only, i.e. wood or mud or zinc etc. he will mark against them "temp." on the plan and in the case of ruins he will mark them through with a cross on the plan (See Instruction 88 and Appendix I) in order to show why such constructions are not entered in the Memorandum of Claim in the "description" of the parcel, although they may have been shown by the survey on the plan.

268. If the owners of parcels abutting on a road agree to widen the road by an even width of area taken from each parcel, or if the owners of a number of adjoining parcels agree to the opening of a road of an agreed width along the boundaries of their parcels, the A.S.O. will draw a line on the plan along the boundaries of the parcels concerned, indicating that the existing road is to be widened or a new road is to be opened and stating the width of the extension or of the new road and how the area is to be obtained e.g.

- (a) "Road to be widened by taking 2 metres from each parcel on the east of the existing road as indicated on the plan";
- (b) "New road, 3 metres in width by taking $1\frac{1}{2}$ metres for each half of the road from all the parcels as indicated on the plan".

269. The A.S.O. will not move any demarcation marks either of the parcels or of the existing road that have already been surveyed, nor cause to be put in any marks to demarcate the new road but will leave this to be done in due course by the revising surveyor.

270. The A.S.O. will indicate on the block plans whether roads are public roads or private roads in order that the Director of Surveys may state in due course the survey fees payable in respect of the private roads.

271. If two or more adjoining parcels are joined together in order that they may be registered as one parcel, the A.S.O. will indicate this on the block plan by a neat clear "brace" across the former boundary line of each of the parcels which have been joined together.

272. If, because of the bracing of parcels to form one parcel, or if new parcels are formed, or for other valid reason, it is necessary to alter the parcel numbering which has been made on the provisional block plan by the Department of Surveys, the A.S.O. will renumber the parcels on the block plan in pencil, during the inspection of the parcels on the ground, by drawing a line neatly through the old numbers and inserting instead the new numbers.

273. If the parcels in a block must be renumbered, the A.S.O. will so renumber them that the parcels can be easily and rapidly found on the block plan during the settlement operations and reduce to a minimum the necessity to renumber completely the parcels in the block at the final stages of settlement operations.

274. The A.S.O. will not allot the new numbers hap-hazard in the block but will allot them serially and in geographical rotation of parcels, i.e. No.17 should not be allotted to a parcel on one side of the block and No.18 to a parcel on the other side of the block.

275. The A.S.O. will treat that part of a road, or wadi, etc. which is included in a block as a separate parcel in the block and will number each such part in its geographical order in the block.

276. If MAWARIS are divided by roads etc. into two or more parcels in a block, the A.S.O. will allot consecutive numbers to the set of parcels forming each MAWARIS in order that the MAWARIS may be readily and easily recorded checked and investigated during the settlement operations.

277. The A.S.O. will write on the block plan in a blank part of the plan any notes which may be necessary to explain the amendments which he may have made on the plan, and will state the numbers of the parcels concerned, the names of the claimants of the parcels and notes of any re-demarcation which may have to be made by the surveyor with reasons explaining those requirements.

278. If many amendments are required and many explanatory notes must be made and there is no room for them on the face of the block plan, the A.S.O. will write them on the back of the plan.

279. If any demarcation of parcels is made during the field inspection of parcels, the A.S.O. will write on the block plan, at the end of his explanatory notes, the names of the members of the Village Settlement Committee who were present at the demarcation.

280. Before leaving the block, the A.S.O. will ascertain from the Village Settlement Committee the name of the block which he will immediately record on the plan in vowelled Arabic or Hebrew (if the block in a Jewish Settlement has a name) and add beside it the English transliteration.

281. On his return to his office, the A.S.O. will immediately ink in all amendments to, and new dimensions on, the plan in red ink, including amendments in the numbering of parcels - no other colour being used for amending the plan - and will then check all the amendments with the notes in his note book which he has made in the course of the field inspection.

282. On the completion of the field investigation of the parcels in a block, and after he has made all the amendments required on the block plan and has written the explanatory notes etc., the A.S.O. will endorse the plan, immediately under his notes:-

"Examination and checking of this plan completed by me on....."

A.S.O.

"

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283. The A.S.O. will then amend his second copy of the provisional block plan to agree exactly with his first copy of the plan, including the explanatory notes etc. and endorse and sign the plan as provided in Instruction 282 ~~284~~ and will clearly mark the second copy of the block plan "DUPLICATE".

284. The A.S.O. must ensure that both copies of the provisional block plans are kept clean and are not creased, that no notes, or marks, etc., are made on the plans other than such as are necessary for the guidance of the revising surveyor and the Settlement Officer, and that plans which are not in actual use are kept in the map-tin provided.

Notes for guidance of A.S.O. in field inspection of parcels, recording of Memoranda of Claims and preliminary investigation of claims, in respect of Block and Village boundaries, Inter-Block and Inter-Village roads, Parcels containing Trees, Buildings, Wells, Tanks, etc. and Trees, Buildings, Wells, Tanks etc. in separate ownership.

Block and Village Boundaries.

285. The A.S.O. may not amend a block boundary to an extent exceeding 150 metres.

286. If, for valid reason, an alteration of a parcel situated on the boundary of the block is required, and the alteration entails the amendment of the block boundary, the boundary of the block may be increased or decreased by the A.S.O. to an extent not exceeding 150 metres.

287. If the alteration of a parcel requires the boundary of the block to be altered to an extent exceeding 150 metres, the A.S.O. will not amend the block boundary but will treat the part of the parcel in each block as a separate parcel in that block and will allot it a parcel number.

288. If the A.S.O. amends the boundary of a block within the limits permitted under Instruction 285, he will amend the boundary of the abutting block concerned to correspond.

289. If the block boundary referred to in Instruction 286 is also the village boundary, the A.S.O. will not amend the block boundary if the abutting village has already been settled.

290. If the abutting village is under settlement but the settlement has not been completed and the A.S.O. is still in that village, the A.S.O. will consult with the officer working in that village and will arrange mutually to amend the block boundaries of the two abutting villages.

291. If that officer has already left the abutting village, the A.S.O. will refer the amendment required to the Settlement Officer, Central Office.

292. If the abutting village is not yet under settlement, the A.S.O. will send a sketch and an explanation of and reasons for the amendment required to the Settlement Officer, Central Office, to forward to the Director of Surveys for necessary action as the abutting village may be under survey.

293. If the abutting village is not yet under settlement and is also not under survey, the block boundary will not be amended and the A.S.O. will not deal with that part of the parcel which is situated in the abutting village lands. It will be claimed and settled in due course when the abutting village is under settlement, unless it be agreed by all concerned that the land in question should form a part of the village under settlement, in which case the Settlement Officer, Central Office, will request the Director of Surveys to add such land to the block in which the remainder of the parcel is situated.

294. The A.S.O. will compare the plan of the block in which he is working with the plans of the adjoining blocks within the same village and ensure that the boundaries correspond in every respect.

295. If the abutting village has been settled, the A.S.O. will examine the block plans on the boundary of that village and ensure that the common boundaries of the village in which he is working and of the abutting village correspond in every respect.

296. If the abutting village is under settlement, the A.S.O. together with the officer working in the abutting village will examine the block plans on the common boundary of the two villages and ensure that the respective block boundaries correspond in every respect.

Inter-Block and Inter-Village Roads.

297. When the A.S.O. compares the block and village boundaries as prescribed in Instructions 285 to 296, he will also ensure that the demarcation of the roads that run through two or more blocks co-incides on the block boundaries both on the ground and on the block plans so that through communication is not interrupted and, by inspection on the ground, that the roads that run into the abutting villages co-incide on the ground on the common boundaries of the villages.

298. If the abutting village has already been settled, the A.S.O. will ensure by inspection on the ground and by comparison of the block plans of that village and of the village in which he is working, that the demarcation on the ground and as indicated on the plans of a road that runs through the two villages correspond at the point where the road crosses into the abutting village.

299. If the road position does not correspond at the point where the road crosses into the abutting village (Instruction 298), the A.S.O. will refer to the Settlement Officer, Central Office for instructions.

300. If the abutting village is still under settlement, the A.S.O. will ensure in consultation with the officer working in that village, that the demarcation of the road through the two villages corresponds at the point where it crosses the common boundary of the two villages.

301. If the officer has already left the abutting village, the A.S.O. will refer to the Settlement Officer, Central Office to ensure that the road demarcation corresponds on the common boundary of the two villages.

302. The A.S.O. will not permit the demarcation of a road to be altered, or cause the re-demarcation of a road to be made, if such alteration or re-demarcation would change the position of the road at the point where it

* * *

crosses the block boundary, unless the change in position of the road at that point is correspondingly changed on the ground and on the plan of the abutting block.

303. If the abutting block has already been settled, the A.S.O. will allow no change of position of the road to be made at the point where it crosses the boundary of the block in which he is working.

304. If the abutting village is not yet under settlement, the A.S.O., before permitting any re-demarcation on the ground or making any amendment on the block plan of a road which runs from the village in which he is working into the abutting village, will ensure, by inspection on the ground at the point where the road crosses into the abutting village, that the road actually continues from that point without interruption in any respect into the lands of the abutting village.

Parcels containing Trees, Buildings,
Wells, Tanks, etc.

305. In the case of a parcel of Miri or Miri Mauqufa land, on one part of which there are trees which were planted, or buildings which were erected, prior to 1331 A.H., and on the other part there are neither trees nor buildings, or there are trees which were planted, or buildings which were erected, subsequent to 1331 A.H., the A.S.O. will form a separate parcel of each part and allot a separate parcel number to each part, and will direct the owner to demarcate each part separately, and submit a separate Memorandum of Claim for each part, because the part containing the trees or buildings which were planted or erected prior to 1331 A.H. would, on inheritance, be subject to the Sharia Law, while the part not planted or not built upon, or which was planted or built-upon subsequent to 1331 A.H. would, on inheritance, be subject to the Miri Law of Inheritance of 1331 A.H.

306. Subject to the Instructions immediately following, if there are trees or buildings on a parcel which were planted or erected before 1331 A.H., the A.S.O. will treat such planted or built-on part as a distinct parcel separate from the remainder of the land, allot a separate parcel number to such part, and direct the claimant to submit a separate Memorandum of Claim for it.

307. If a parcel contains a building erected prior to 1331 A.H. and the land of the parcel, other than the actual site of the building, is a yard or other amenity to the building, the aggregate area of the site with the amenity not exceeding approximately one dunum, the A.S.O. will not subdivide the parcel but will describe the parcel as "land with a building constructed before 1331 A.H."

308. If a parcel contains a number of buildings, some of which were erected before 1331 A.H. and some after 1331 A.H., and the subdivision of the parcel into small parcels, each part containing buildings all erected prior ~~to~~ or subsequent to 1331 A.H. could not easily be made, the A.S.O. will not subdivide the parcel but will treat it as one parcel, will clearly mark each building on the block plan with a letter 'A', 'B', 'C' etc. and on the Field Investigation Slip and Memorandum of Claim will state in respect of each building whether it was erected before or after 1331 A.H.

309. If a parcel, approximately half a dunum in extent, contains a well or tank constructed prior to 1331 A.H., the land around the construction may be considered an amenity to the construction, and the A.S.O. will treat the land and well (tank) as one parcel and describe it as 'land with a well (tank) constructed before 1331 A.H.'

310. If the parcel is of larger extent than as stated in Instruction 309, the A.S.O. will subdivide the parcel into two separate parcels, treating the part of approximately half a dunum with the well or tank as one parcel and the remainder as another parcel.

311. If the parcel contains a Well or Tank constructed subsequent to 1331 A.H., the A.S.O. will not subdivide the parcel whatever may be its extent and will describe it as 'Land with a Well (Tank) constructed after 1331 A.H.'

312. If the ground floor of a building was erected prior to 1331 A.H. and the additional floors were erected subsequent to 1331 A.H., the A.S.O. will treat the whole building as having been erected prior to 1331 A.H., but he will enter a note of the facts in Part C.1. of the Memorandum of Claim for the parcel.

313. If a parcel is closely planted with trees which were planted prior to 1331 A.H., so that its major use may be considered to be for the cultivation of the trees, although the land may be used for ground crops between the trees, the A.S.O. will describe the parcel as 'Land planted with trees before 1331 A.H.'

314. If a parcel cultivated with ground crops is sparsely planted with trees which were planted prior to 1331 A.H. e.g. about a dozen trees scattered in a parcel ten dunums in extent, the A.S.O. will describe the parcel as 'Arable land containing (12) (olive) trees planted before 1331 A.H.'

315. If a parcel entirely planted with trees prior to 1331 A.H. is being, or has been, gradually replaced by trees planted subsequent to 1331 A.H., the A.S.O. will make a note of this fact in Part C.1. and will describe the parcel as 'Land planted with trees prior to 1331 A.H.' (See also Instruction 316).

316. If a parcel contains trees, some planted prior to and some planted subsequent to 1331 A.H., and the trees of the different periods are so intermingled that it would not be possible to form separate parcels for the trees of the same period and it would be impossible or difficult to state the number of trees of each period, the A.S.O. will not subdivide the parcel but will consider of which period there is the greater majority of trees and will describe the parcel as 'Land planted with trees before (or after) 1331 A.H.' according to the period of which there is the majority of trees.

317. The A.S.O. will guard against forming parcels of which the area or dimensions would be below the minimum to be prescribed for the village.

318. If a parcel, the area of which is below the registrable minimum, contains trees planted before 1331 A.H., when the parcel is eliminated and added to another parcel, the A.S.O. will, in accordance with the principles of Instruction 308, describe the 'eliminated parcel', ~~as~~ part of the new combined parcel as 'A' and the remainder of the new combined parcel as 'B'.

319. If a parcel, the area of which is below the registrable minimum, has no

trees, or contains trees planted after 1331 A.H., when the parcel is eliminated and added to another parcel, whatever may be the category of the latter, the 'eliminated parcel' will take the category of the parcel to which it is added, and the A.S.O. will describe the combined parcel as of the category of the parcel which has been added to.

320. If a parcel, the area of which is below the registrable minimum, contains trees some planted prior and some planted subsequent to 1331 A.H., the A.S.O. will proceed as directed in Instructions 318 and 319.

321. If the circumstances of a parcel are not covered by the preceding instructions and the A.S.O. is in doubt how to describe a parcel which contains trees or buildings, he will subdivide the parcel on the ground and show the sub-divisions on the block plan, but notwithstanding such sub-division on the ground and on the plan, he will not give parcel numbers to the sub-divisions, will continue to treat the parcel as one entity, and explain his action and his difficulty in Part C.1 of the Memorandum of Claim.

322. If the category of the land of a parcel is Mulk or Wakf Sahih and contains trees or buildings, the A.S.O. will not subdivide the parcel nor state the period of planting or construction whatever the period may be.

Trees, Buildings, Wells and Tanks
etc. in separate ownership.

323. If a parcel contains trees or permanent constructions which are owned separately from the land of the parcel and the owners of each acknowledge the separate ownership, the A.S.O. will cause them to enter such separate ownership on the Memorandum of Claim and to state the names of the owners of each and the shares of each owner separately in the land and in the trees or constructions.

324. The A.S.O. will use every reasonable endeavour to persuade the separate owners to agree amicably by exchange or purchase to obtain a single ownership and so avoid the registration of the land in separate ownership from the trees or constructions. (See also Instructions 327, 328 and 329).

325. If a parcel contains a building or a well, tank etc. which is not claimed to be in separate ownership from the land of the parcel, the A.S.O. will assume that the site is in the same ownership as the building etc. and will form a parcel of the site separate from the remainder of the land of the parcel.

326. If a parcel is leased for a period exceeding three years with a clause stipulating that the lessee shall be the owner of any trees or buildings which he may plant or construct on the land, the A.S.O. will not question the stipulation and will treat the land as subject to the lease and, if there are trees or buildings on the land at the time of settlement and the lessee claims ownership of them on the terms of the agreement of lease, the A.S.O. will cause the separate ownership of the land and of the trees or buildings to be claimed in accordance with Instruction 323.

327. If there is no agreement of lease in respect of the land of a parcel which is planted with trees and the owner of the parcel admits that the trees are in the ownership of some other person and that the land immediately surrounding the trees belongs to the owner of the trees, the A.S.O. will endeavour, if the procedure will not be lengthy, to treat each tree with its HARAM, i.e. the land immediately surrounding it, as a sub-minima parcel and apply the provisions of the Order prescribing the registrable minima for the village and eliminate those small parcels.

328. If there is no admission by the owner of the land that the 'HARAM' belongs to the owner of the trees (Instruction 327), the A.S.O. will act as directed in Instruction 324.

329. If there is no admission as described in Instruction 327, that the land immediately surrounding the trees belongs to the owner of the trees, or if there is no agreement as to single ownership (See Instructions 324 and 328), the A.S.O. will state the number and kind of trees in each separate ownership.

Memoranda of Claims.

General.

351. The inspection of parcels on the ground having been made, the A.S.O. will direct owners to submit Memoranda of Claims to parcels and to registrable interests in the parcels.

352. At the end of each day of field inspections, the A.S.O. will hand to the clerk the Field Investigation Slips completed by him that day and direct the clerk to call the owners to submit their Memoranda of Claims.

353. If a claim is submitted by a person who was a party to any action decided by a Land Court without appeal or by the Supreme Court on appeal and is in conflict with the judgment, the A.S.O. will not accept such a claim without submitting the matter to the Settlement Officer, Central Office, for instructions.

354. The claimant will be given a Memorandum of Claim Form CL/32 and must fill in the particulars required in Part B of the Form, but the A.S.O. and/or the field clerk will assist him in order that the particulars may be correctly entered.

355. In the case of an illiterate claimant, the field clerk may fill in the particulars in the Form from statements made to him by the claimant.

356. In no circumstances may the A.S.O. refuse a claim because in his opinion the grounds on which the claim is based are ill founded.

357. The A.S.O. must insist on a separate Memorandum of Claim being submitted for each parcel, except that he may accept one Memorandum of Claim for a number of parcels if they are all situated in the same registration block, (but not otherwise) from a claimant who owns several parcels in the block, or from a number of claimants who jointly own several parcels in the block each co-owner having the same shares in each of the co-owned parcels, if the parcels were all acquired in the same manner and the claims to all the parcels are supported by the same documents.

358. The A.S.O. will number the Memoranda of Claims serially throughout the village in the order in which they are submitted.

359. After a Memorandum of Claim has been signed by the claimant, or thumb-printed by an illiterate claimant, the A.S.O. will not allow any alterations or additions to be made by or on behalf of the claimant, except the correction of a clerical error which the claimant must sign (or thumb-print) and date.

360. If the claimant wishes to change any statement which he has made on oath in the Form, the A.S.O. will direct him to write the amended statement on the back of the Form, or on a separate sheet of paper on which he must endorse the serial number of the Memorandum of Claim and which the A.S.O. will attach thereto, and add in writing the reasons for the inaccuracy in the original sworn statement.

361. If the new statement differs materially from the original statement, the A.S.O. will warn the claimant that he is liable to prosecution on a charge of perjury, will attach a note to the Memorandum of Claim on which he will endorse its serial number, drawing attention to the differences in the two statements, adding that he has warned the claimant that he was liable to be charged and will sign and date the note.

362. The A.S.O. will file the Memoranda of Claims for all the parcels in a registration block, together with the two copies of the provisional plan of the block, the lists of areas and owners of parcels in the block obtained from the Director of Surveys, in a thick-cover file, on which he will endorse in bold letters the name of the village and the block number both at the top and bottom of the outside cover of the file.

363. The A.S.O. will compile an Index in English of the names of claimants and the composite block/parcel No.(..../....) of the parcels claimed by them in the case of Mafruz parcels (divided land) and the serial numbers of the Memoranda of Claims and the names of Masha' localities in the case of Masha' land. The indexing, which may be made by the field clerk, will be made as the Memoranda of Claims of each block or Masha' locality are completed to prevent accumulation and to facilitate reference by the A.S.O. and field clerk.

364. In the case of Arab claimants the name will be indexed under the first letter of the first name of the claimant, e.g. the name 'Ali Ibrahim Sālih will be indexed under the letter 'A', the name Khālid Ibrahim Sālih under the letter 'K' etc.

In the case of non-Arab claimants the name will be indexed under the family name.

Mafruz parcels (divided land).

Part A.

371. This part of the Memorandum of Claim except the final parcel number will be filled in by the A.S.O. or clerk and not by the claimant.

372. Before entering the block and provisional parcel number, the A.S.O. will refer to the Field Investigation Slip and question the claimant as to the parcel which is to be the subject of his claim to ensure that the correct block and parcel numbers are entered in this part. The space for the final parcel number will be left blank as the number will be entered in the Central Office at a later date.

Part B.1.

373. Names in European characters must be written in block letters.

If, in addition to their names written in their own (official) language, claimants use a European form of name, the European form must be added in block letters.
e.g.

Name in Hebrew.....

European form: MOSHE COHN, MOISE COHEN,
MOSES COWEN, etc.

374. An Arab claimant must enter his name, his father's name, his grandfather's name and his family name if he has one, e.g.

Muhammed Hasan Mustafa would mean,
Muhammad son of Hasan son of Mustafa;
adding a family name where it exists,
e.g.

Muhammad Hasan Mustafa al Dajani.

375. The A.S.O. will not require all the co-owners of a parcel to be present to complete the Memorandum of Claim for the parcel. It may be completed by one of the co-owners on behalf of all (See Land Settlement Ordinance, Section 16(2) and (4)).

376. If a claimant co-owner is unable to state all the correct particulars required as to names of co-owners and their respective shares in the parcel, the A.S.O. will direct him to return later with all the other co-owners jointly to complete the form.

377. If any of the co-owners in a parcel refuses to take the oath (Part B.14) because he is not sure of or does not admit the accuracy of any part of the joint claim, the A.S.O. will direct him to submit a separate Memorandum of Claim for his own share and for any shares that he can swear to but in such a case he must state in his Form in addition to his share, /in the whole of the parcel (fraction of the whole parcel) that he can swear to and the name of the co-owner of each such share.

378. If a separate Memorandum of Claim is submitted for a share in the parcel, the A.S.O. will cross-reference the serial numbers of the Memoranda of Claims for the parcel.

379. A claimant must state in every case the share in a parcel which he claims that he is entitled to.

380. If a claimant is uncertain what his share is in a parcel, the A.S.O. will require him to make his own calculation and state the share.

381. The A.S.O. will satisfy himself that all the shares in a jointly-owned parcel have been claimed.

382. If a claimant resides outside Palestine and appoints as his agent in Palestine a person who is a member of his family but is not an advocate, the A.S.O. may accept a simple letter of appointment, but only for the purpose of presenting a claim by such member of the family on behalf of the claimant. The signature of the claimant on the letter of appointment need not be legalized neither will stamp duty be payable. If subsequently, in an action heard by the Settlement Officer, an objection is raised questioning the legality of the signature, or of the document on the ground that the provisions of the Proof of Foreign Documents Ordinance, 1924 have not been complied with, it would be necessary for the signature to be legalized in accordance with the law of the country in which the claimant resides.

383. If an absentee claimant lives outside Palestine and has a local agent to whom he has given a power of attorney which does not comply with all the requirements of the Proof of Foreign Documents Ordinance, 1924, or simply a letter empowering the agent to act on his behalf, in order to avoid delay in Settlement operations, the A.S.O. may accept such document or letter provided it is stamped in accordance with the Stamp Duty Ordinance, but only for the purpose of the Agent presenting a claim on behalf of the absentee claimant and not for the purpose of mortgaging, leasing, renouncing,

or otherwise disposing of the parcel on behalf of the absentee claimant. It would be as well also if the Local Council of the village or the Village Settlement Committee certified the signature of the absentee claimant as genuine. See also second sentence of Instruction 382.

384. If a Local Council desires to make a claim on behalf of an absentee claimant who is not resident in Palestine, and the Council are not in possession of a power of attorney or of a letter authorising them to act for the absentee but they have by long established custom managed the properties of the absentee, the A.S.O. may admit them as agents of the absentee for the submission of the claim. If subsequently, in an action heard by the Settlement Officer, an objection is raised on the ground that the Council have not been legally appointed agents for the claimant, the Settlement Officer will require them to obtain a legally constituted power of attorney or of administration.

385. A duly authorised agent may submit a claim on behalf of a Company, Institution, Society or other Corporate Body (See Land Settlement Ordinance, Sections 17-18).

386. If an agent submits a claim as provided in Instruction 385, the A.S.O. will direct him to submit with the claim a duly drawn up and stamped authority by virtue of which the Company etc. is authorised to hold and own immovable property.

387. If the agent submits the copy of an authority the A.S.O. having satisfied himself as to the correctness of the Authority will certify it as correct.

388. If the A.S.O. is in doubt as to the validity or sufficiency of the Authority, he will refer the matter immediately to the Settlement Officer, Central Office, for instructions.

389. If the Authority is in a Law or Regulation it will be sufficient for the claimant to quote the Law or Regulation and the number of the Article in an appropriate place in the Memorandum of Claim.

390. In the case of a claim by or on behalf of a well known Corporate Body such as for example the Palestine Jewish Colonization Association for whom many claims have already been approved and whose authority to hold and own land is known, the A.S.O. will not require reference to be made on the claim to such authority.

391. The A.S.O. will not accept a claim made by a minor or other person under legal disability.

If a guardian or curator has been appointed in a valid manner for such a person, the A.S.O. will direct the relative of the person to make a claim on his behalf or in the absence of any relative will direct the Village Settlement Committee to submit the claim (See also Instruction 638).

392. If the claimant resides in a village he should enter as his address the name of the village. If he resides in a town he should enter the name of the town and the name of the street and house number or his P.O.B. number.

393. If there are a large number of claimants who claim co-ownership in the parcel and the space provided is not sufficient to admit of all their names being entered on the Form, the person or persons making the claim must compile a list with three columns headed the same as on the Form and enter all particulars under the columns in the list and must date and sign the list and enter on the Form "as per list attached", and initial this.

The A.S.O. will endorse on the list the serial number of the Memorandum of Claim and the block and parcel number and attach the list to the Memorandum of Claim.

394. The A.S.O. will also carefully note the following in respect of:-

- (i) Claims to shares in Masha' - Instructions 716 to 727;
- (ii) Mafruz parcels in Masha' land - Instruction 731;
- (iii) Government claims - Instructions 736 to 749;
- (iv) Waqf claims - Instructions 756 to 759;
- (v) Claims by Supreme Moslem Shari'a Council - Instructions 760 to 762;
- (vi) Mulhaq & Mustathna Waqf - Instructions 771 to 773;
- (vii) Muqata' & Ijaratein Waqf - Instructions 776/777;
- (viii) Waqf claims generally - Instruction 781;
- (ix) Conflicting claims - Instructions 786 to 797;
- (x) Arbitration - Instructions 801 to 803;
- (xi) Unclaimed land - Instructions 806 to 811;
- (xii) Roads - Instructions 821 to 831;

- (xiii) Village open spaces - Instructions 836/837;
- (xiv) Cemeteries, Places
of Worship, Shrines - Instructions 840 to 850;
- (xv) Elimination of
parcels and shares - Instructions 851 to 866;
- (xvi) Settlement of vil-
lage sites under
Sec.27A of L.S.Ord.- Instructions 876 to 878;
- (xvii) Re-alignment of
boundaries - Instruction 891;
- (xviii) Grouping of parcels - Instructions 896/897;
- (xix) Indefinite-share
Masha' - Instructions 901 to 904;
- (xx) Railway level
crossings - Instruction 1318.

Part B.2.

396. If the claimant does not know the category of his land, the A.S.O. may inform him the category in accordance with the registration in the Land Registry.

397. The various categories of land are:

Mulk.
Miri.
Miri Mauqufa.
Waqf Sahih.
Matruka.
Mewat.

398. The category of certain state lands may be described as "Public Lands", but they will be so described only on a ruling of a Settlement Officer.

399. In the case of a claim for Miri Mauqufa, the A.S.O. will cause the claimant to enter the category as "Miri Mauqufa (Waqf.....)" inserting between the brackets the name of the Waqf in full.

400. In the case of Waqf Sahih which has not been specifically dedicated, such as a Moslem Cemetery, and the site of a Mosque and Shrine, the A.S.O. will cause the category to be entered as "Waqf Sahih".

401. In the case of Waqf Sahih which has been specifically dedicated, the A.S.O. will cause the category to be entered as "Waqf Sahih (Waqf.....)" inserting between the brackets the name of the Waqf in full.

402. If the claimant insists on entering the parcel as of a category different to that of the registration in the Land Registry, the A.S.O. will require him to submit proof that the parcel is of the category insisted on and a signed and dated statement in writing of such proof, and will endorse on the statement the serial number of the Memorandum of Claim and attach the statement to the Memorandum of Claim.

403. If the claimant enters the category of the parcel as "Mulk" and there is no prima facie evidence, or the A.S.O. doubts that it is so, he will require the claimant to submit a KUSHAN or extract of the registration from the Land Registry in support of such category.

404. If the parcel is situated in a village built-on-area which is under the ordinary full procedure of settlement and the village existed as such at the time of the promulgation of the Ottoman Land Code (1858), the A.S.O. will ascertain from the Settlement Officer, Central Office, the limits of the "Confines of the Village" within which, in accordance with Article 2(i) of the Land Code, the land of the village built-on-area may be admitted to be of Mulk Category.

405. If the A.S.O. is himself in doubt as to the correct category of any parcel, he will refer to the Settlement Officer, Central Office, for a ruling.

406. If part of the land in a parcel is of one category and part of another category, the A.S.O. will direct the claimant to demarcate each part separately, to submit a Memorandum of Claim for each part, and will treat each part in every respect as a separate parcel.

Part B.3.

411. If the claimant to the ownership of a parcel admits and enters in Part B.11, a mortgage, lease (for more than three years), attachment or right of way in favour of some other person and such person submits the deed in the case of a mortgage or lease, or order in the case of an attachment, or an extract from the Land Registry, the A.S.O. will not require such person to submit a separate claim for the right or interest, but see Instruction 525, if such person insists on submitting a separate Memorandum of Claim.

412. If the claimant to the ownership of a parcel does not admit the mortgage, lease, attachment or right of way, or does not admit such right in full, the A.S.O. will direct the claimant to such right or interest to submit a separate Memorandum of Claim filling in the relevant particulars in Part B.1,2,3,4,5,7,11,12 and 13 and to take the oath and sign the form in Part B.14.

Part B.4.

416. Except as provided in the following instructions regarding Part B.4, the A.S.O. will cause the claimant to enter all the particulars required in the four columns of this heading.

417. The A.S.O. will note that claims to full title must be based on:-

- (a) registration in the Existing Register in the name of the claimant; or
- (b) a record, in the name of the claimant, in the village unofficial land book which was recorded prior to the date on which the unofficial land book was officially closed; or
- (c) undisputed possession adverse to any registered owner or his heirs for a period of 10 years or more in the case of Miri, or 15 years or more in the case of Mulk or of Miri land which was planted with trees or was built-on before 1331 A.H.; or
- (d) inheritance by the claimant from a person who had acquired a title to the land under either of (a), (b) and (c) of this Instruction.

418. The A.S.O. will note that a claim to full title may be admitted where a registered or a recorded (in the village unofficial land book prior to its closing) owner, or his heirs, renounce their rights in a valid manner, but that if such owner, or his heirs, do not so renounce their rights and are not debarred from their title by prescription, the claimant would only be granted a Possessory Title (See Instruction 707 under Part C.2 Recommendations).

419. If the parcel is registered in the Existing Register in the name of the claimant, the A.S.O. will cause him to fill in the four columns of this heading e.g.:

Column 1.	Column 2.	Column 3.	Column 4.
In whole	9.7.23	Ahmad Sālih Ibrahim	By registered transfer. (See Part B.5 below).

420. If the parcel is not registered in the name of the claimant but is recorded in his name in the village unofficial Land Book, the A.S.O. will cause the claimant to leave the first, second and third columns in blank and to enter in the fourth column "Recorded in my name in the village unofficial Land Book" and to state the particulars of the record.

421. If the ground of acquisition by the claimant is by prescription against the registered or recorded (in the village unofficial Land Book) owner, or his heirs, and the land in question is registered in the Existing Register as Mafruz (except the fictitious Mafruz referred to in instruction 434) and the claimant has himself been in undisputed possession of the parcel for a period of not less than 10 years (in Miri) or 15 years (in Mulk or in Miri land which was planted with trees or was built on before 1331 A.H.), the A.S.O. will cause the claimant to enter in the fourth column "by undisputed possession for.....years" but if the claimant in such a case has purchased the land from the registered (recorded) owner and has not registered the purchase in the Existing Register, he should enter in the fourth column "by unregistered undisputed purchase from registered (recorded) owner and by undisputed possession by me for..... years".

422. If the claimant did not purchase the land directly from the registered (recorded) owner, or his heirs, but has been in undisputed possession for not less than the prescriptive period, the A.S.O. will cause him to enter in the fourth column "by unregistered purchase from unregistered owner N.N. and undisputed possession by me for..... years".

423. If the claimant did not purchase the land directly from the registered (recorded) owner, or his heirs, but the periods of the undisputed possession of the land by the claimant and by the unregistered person from whom he purchased the land together amount to not less than the prescriptive period, the A.S.O. will cause him to enter in the fourth column "by unregistered purchase from unregistered owner N.N. who had been in continuous undisputed possession for.....years at the date of the purchase by me and by undisputed possession by me for.....years from the date of the purchase."

424. In the case described in Instruction 423, if the claimant does not know for how long the person from whom he purchased the land was in undisputed possession of it, but he does know

for how long the registered (recorded) owner has been out of possession of it, the A.S.O. will cause the claimant to enter in the fourth column "by unregistered purchase from unregistered owner N.N. and by undisputed possession by me for.....years, the registered (recorded) owner having been out of possession foryears".

425. In the cases described in Instructions 421, 422 and 423, if the period of undisputed possession has been less than the period of prescription and in the case described in Instruction 424, if the registered owner has been out of possession for a period less than the period of prescription the A.S.O. will inform the claimant that if the registered (recorded) owner, or his heirs, do not renounce their rights in the parcel in his favour, only a Possessory Title could be granted him.

426. In the cases described in Instruction 425, if the registered (recorded) owner, or his heirs, renounce their rights in the parcel in favour of the claimant, the A.S.O. will cause the claimant to enter in the fourth column "by unregistered disposition from (heirs of) the registered (recorded) owner vide renunciation submitted".

427. If the claimant obtained the parcel by unregistered purchase from a person who in his turn obtained it from the registered (recorded) owner, or his heirs, by unregistered purchase and the full period of prescription has not yet run against the registered (recorded) owner or his heirs, and the registered (recorded) owner, or his heirs, do not renounce their rights in the land in favour of the claimant, the A.S.O. will cause the claimant to enter the date on which his predecessor entered into possession of the parcel, or if there have been more than one predecessor, the date on which the registered (recorded) owner ceased to have possession, in order that the date of commencement of the Possessory Title may be known and stated on that document.

428. If a person claims a parcel by inheritance from a person who had acquired a title to it, the A.S.O. will cause the claimant to submit a Certificate of Inheritance made by a competent Court and to enter the necessary particulars of the inheritance and of the method by which the title was acquired, e.g. if the deceased person acquired a title as described in Instruction 422, the entries would be as follows:-

Column 1.	Column 2.	Column 3.	Column 4.
In whole	(Insert date of succession)	N.N.who acquired it by unregistered purchase on.....(year) from unregistered owner	By inheritance vide Certificate of Succession submitted.

429. The A.S.O. will note that a parcel may be rightly claimed to have been acquired by unregistered amicable agreement among co-heirs or co-owners, or by unregistered exchange, gift etc. But by whatever unregistered manner the claimant may have come into possession of the land which he claims, his right to it must rest basically on a renunciation in his favour by the registered owner or his heirs or by a recorded (in the village unofficial Land Book) owner or his heirs, or prescription; and in the description of the manner of acquisition the claimant must state the exact manner by which he obtained the parcel. The following are examples of describing the manner of such acquisitions:-

- (i) "By inheritance from registered owner vide Certificate of Succession submitted and by amicable agreement of partition made 12 years ago among the co-heirs" (where partition existed longer than the prescriptive period of Miri).
- (ii) "By inheritance from registered owner vide Certificate of Succession submitted and by amicable agreement of partition among the co-heirs submitted". (where the partition has existed for less than the period of prescription).
- (iii) "By exchange with unregistered owner and undisputed possession by me for 15 years".
- (iv) "By exchange with unregistered owner who had been in continuous undisputed possession for 9 years at the date of the exchange and by undisputed possession by me for 4 years since that date."

430. The A.S.O. will note that in view of Section 1 of the Land Law (Amendment) Ordinance, the possession of a parcel by one of a number of co-heirs raises a ^{Presumption} (prescription) of possession in favour of all the co-heirs, unless there is certain and conclusive proof to the contrary. For instance, A, B, and C are co-heirs. A is in possession and the presumption is that he holds on behalf of B and C. But if in fact B and C have no legal excuses and if in fact they have no part of the produce or rent of the land or do not in any way have a share in its working or produce of any kind, then the occupation of A will be adverse to the claim of B and C to part title in the ownership.

431. If one of the co-heirs of a parcel claims that his possession is adverse to that of the other co-heirs and that he alone has all the rights in the parcel, the A.S.O. will cause him to state in the fourth column in what manner he obtained the shares of the other co-heirs (See also Instruction 654 for additional statement to be made by the claimant in Part B.13 in such cases). The following are examples for guidance:-

Example (1):

Column 1.	Column 2.	Column 3.	Column 4.
1	1921	Se'id.....	By inheritance from registered owner vide Certificate of Succession submitted.
<u>4</u> <u>5</u> ===	1922	Hasan, Muhd., (etc.) children of the above	By unregistered purchase from co-heirs (unregistered document of sale attached), and undisputed possession for 12 years, no co-heirs being a minor, absentee, or under any other legal disability.

./.

Example (2):

Column 1.	Column 2.	Column 3.	Column 4.
1	1922	Muhd.....	By inheritance from registered owner vide Certificate of Succession submitted.
$\frac{1}{2}$ <u> </u>	1922	Ahmed Muhd.	By amicable agreement with my co-heir who took for his share of the inheritance my father's land in.....village, and by undisputed possession for 12 years, no co-heir being a minor, absentee, or under any other legal disability.

432. In the case described in Instruction 431, and if prescription has not run against the co-heirs, the A.S.O. will inform the claimant that if the co-heirs do not formally renounce their shares in his favour, he could only obtain a Possessory Title to the unrenounced shares.

Former Masha' Land.

433. If the lands of the village were registered as Masha' but were unofficially partitioned less than 10 years prior to settlement and the partition has been accepted by the Settlement Officer, usually no steps are taken to ensure that the area received by each land owner in a village represents the mathematically correct area of the shares previously owned by him in the Masha' lands of the village. The areas of parcels may and often do vary considerably from the areas which would result from a mathematical division of lands on the basis of Masha' shares, but the parcels are presumably the equivalent in value of the former shares. As this is the case, the meticulous examination of the Masha' shares previously owned by co-owners within a partitioned parcel does not ensure that each co-owner has obtained his due proportion of the total Masha' area and therefore serves no real useful purpose.

434. The A.S.O. will note that if on examination of the Existing Register and by enquiry in the village, he finds that

- (a) the lands of the village are registered as Masha'; or
- (b) a fictitious registration as Mafruz was made at the time of the Yuqlame but the lands were in fact Masha' and continued after that registration to be periodically redistributed;

and an amicable ('Urfi) partition has been made which is accepted by the Settlement Officer for the purposes of Land Settlement, he will not normally require the claimants of such land to state the source of their acquisition of Masha' shares in the partitioned land. But they must be able to state that they have been in undisputed possession of their parcels for 10 years or more, or, if the partition took place less than 10 years before the date of submission of the claims, that the period of their possession of the parcel and before that the period of their possession of the Masha' shares together is not less than 10 years.

435. In the case described in Instruction 434, if the claimant of a parcel was not himself allotted the parcel at the partition but acquired it afterwards, the A.S.O. will cause him to state the manner of acquisition as directed in the previous instructions under Part B.4 in respect of villages registered as Mafruz, i.e. how and from whom he obtained the parcel and to submit Certificate of Succession or/and documents of renunciations etc. as may be necessary and if a claim to a parcel is disputed on the ground that the claimant was not the owner of the share(s) which the parcel represents, the A.S.O. will cause the claimant of the parcel to enter full particulars of the acquisition and registration of the share(s) which the parcel represents in this heading and in Part B.5.

436. The following are examples of recording the manner of acquisition in such land:-

Example (1):

Column 1.	Column 2.	Column 3.	Column 4.
Whole	1917	-	By allotment to me at the 'Urfi partition of the Masha' in lieu of Masha' shares owned by me and by undisputed possession since.

Example (2):

Column 1.	Column 2.	Column 3.	Column 4.
Whole	1928	Muhd. 'Ali Ahmad	By inheritance vide Certificate of Succession submitted and by undisputed possession for 6 years.

The parcel was allotted by 'Urfi partition to Muhd. 'Ali Ahmad in 1921 in lieu of shares owned by him in the Masha'.

Example (3):

1	1922	Se'id.....	By purchase from owner who was allot- ted the parcel at the 'Urfi partition of the Masha' and by undisputed posses- sion for 12 years.
---	------	------------	--

1
2

1920

-

By allotment to me
at the 'Urfi partition
of the Masha' in
lieu of Masha' shares
owned by me and by
undisputed possession
since.

Example (4):

Whole	1928	-	By allotment to me at 'Urfi partition of the Masha' in lieu of Masha' shares which I had owned for 6 years previous to the date of par- tition, & by undis- puted possession for 12 years.
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Example (5):

Whole	1930	Mustafa....	By inheritance vide Certificate of Suc- cession submitted and by undisputed possession for 4 years.
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Parcel allotted to Mustafa.....at 'Urfi partition of the Masha' in 1926 in lieu of Masha' shares which he had owned for 20 years prior to that date.

General.

437. If there are a number of persons who claim shares in a parcel and each person has obtained shares from a number of sources and the space provided in this heading in the Memorandum of Claim Form is not sufficient for them to enter all the required particulars here, the A.S.O. will cause them to fill in the particulars in identical columns on the back of the Form or on a separate paper and each of them to date and sign his particulars, entering in this Part (B.4) that the particulars have been given on the back of the Form or on a separate paper, and if a separate paper has been used the A.S.O. will endorse on it the serial number of the Memorandum of Claim and attach it to the claim.

438. If there are many persons who claim shares in a parcel and many sources of acquisition of the shares, these may be shown more conveniently in tabular form in the fourth column:-

Manner of Acquisition.	Claimant No.1.	Claimant No.2.	Claimant No.3.	Total

or the manner of acquisition may be shown in vertical columns and the claimants in horizontal columns if that is considered more convenient. But the A.S.O. will ensure that, in whatever convenient way the manner and sources of acquisition are described, the shares of each claimant are shown separately and in such a manner as to be easily checked and easily added up to find the total number of shares in the parcel, and if the A.S.O. uses a separate paper to add up each claimant's final share he will endorse on it the serial number of the Memorandum of Claim and attach it to the claim to facilitate checking at the Central Settlement Office.

439. The A.S.O. will study the various methods of stating the manner of acquisition of parcels described in the foregoing instructions and will bear in mind that claimants must enter in this Part clearly and concisely all the necessary details to facilitate his own work in the preliminary examination and that of the Central Office in the final examination of the claims.

440. The examples given in the preceding instructions of describing the manner of acquisition are not exhaustive and are given as a guide for recording the most common forms of acquisition and the A.S.O. is expected to be able to adapt the examples given to more uncommon forms of

acquisition without omitting any essential detail. If he cannot do so, as regards the more uncommon forms, he should refer his difficulty to the Settlement Officer, Central Office, for instructions.

441. The A.S.O. will not suggest to claimants that any of the suggested methods of describing the manner of acquisition and of recording their claims will result in their obtaining a title.

442. The procedure which the A.S.O. will adopt will be first to ascertain from claimants how they have acquired the parcels and after he has obtained the information will suggest to them the best method of stating that information in their claims.

Part B.5.

451. If the claimant states that the parcel which he claims is wholly or partly registered in the Land Registry, the A.S.O. will cause him to insert particulars of the registration in this heading. If only part of the parcel is registered the claimant must state "part only registered" and add the share(s) or number of dunums registered. If the parcel or part of the parcel is registered in the name of a person other than the claimant, the A.S.O. will cause the claimant to enter the name of such person.
452. If the whole of the parcel is registered, or if only part is registered, in the name of the claimant, or if the claimant claims it by inheritance or other method of acquisition from the registered owner and the period of prescription has not elapsed, the A.S.O. will cause the claimant to submit the Kushan or extract from the Register which the A.S.O. will endorse with the block and parcel numbers (..../....) of the land concerned and attach it to the Memorandum of Claim.
453. If part of the parcel is registered and part is not registered, the A.S.O. will cause the claimant to enter in respect of the part which is not registered "Not registered in the Land Registry" adding the share(s) or number of dunums not registered.
454. The A.S.O. will warn the claimant that he must not state that the parcel or any part of it is not registered unless he knows that this is so, and that if the claimant has attempted to trace the registration in the Land Registry and has not succeeded in doing so he should state this.
455. If the claimant does not know if the parcel is registered, the A.S.O. will cause him to enter "not known if registered".
456. If the claimant does not know in whose name the parcel or any part of it is registered, the A.S.O. will cause him to state so.
457. If the claimant knows that the parcel is not registered in the Land Registry, the A.S.O. will cause him to enter "Parcel not registered in the Land Registry."
458. If the claim is in respect of land which is Masha', the A.S.O. will cause the claimant to state this.

Part B.6.

461. The A.S.O. will, normally, not require the claimant to submit receipts in support of the particulars entered under this heading, but he will inform the claimant that, if his claim is disputed, the Settlement Officer may require him to produce receipts.

Part B.7.

466. The A.S.O. will cause the claimant to enter under this heading a full description of the parcel and of any trees, buildings, wells, tanks, etc. in the parcel. The following are examples:-

- (1) Arable land (i.e. without trees).
- (2) Land with olive and fig trees planted before 1331 A.H.
- (3) Land with orange trees planted after 1331 A.H.
- (4) Land with a building of 4 rooms constructed after 1331 A.H. (for small parcels a large part of which is built-on).
- (5) Land with a well, a tank and a building of one room constructed after 1331 A.H. (where the land surrounding the well, etc., is of small area for the use of the users of the well and not for cultivation).
- (6) Building site (small parcels in or near a built-on area).
- (7) Private road.
- (8) Scheduled road.
- (9) Inter-village road.
- (10) Village road.
- (11) River.
- (12) Wadi.
- (13) Moslem (Jewish or Christian) Cemetery.)
- (14) Mosque (adding name))
- (15) Synagogue (or Church) (adding name))
- (16) Moslem (Jewish or Christian) Shrine (adding name))
- (17) Village threshing floor.
- (18) Village open space.
- (19) Vegetable plot (for small parcels in the vicinity of the village usually used for the cultivation of vegetables).

But see Instructions 840 to 850.

There may be a combination of the above examples, e.g.

- (20) "Partly arable land partly land with orange trees planted after 1331 A.H., with a well (two) tanks, and (three) buildings consisting of (i) five rooms, (ii) two rooms, and (iii) one room, constructed after 1331 A.H."

467. The A.S.O. will note that:-

- (i) constructions of a temporary nature (wood, mud, or petrol tins) need not be recorded;
- (ii) the use to which any rooms are put (stable, shop, etc.) need not be recorded;
- (iii) in regard to trees and buildings etc., some constructed before and some after 1331 A.H., he should refer to Instructions 305 to 322; and
- (iv) in regard to the separate ownership of trees, building etc., he should refer to Instructions 323 to 329.

468. If there are walls on the boundary of a parcel which are claimed entirely by the claimant and the boundary of the parcel is shown on the block plan as being the outside edge of the walls, the A.S.O. will inform the claimant that he should not mention the walls in the Memorandum of Claim.

469. If a wall divides two parcels and no claim is made to the wall by the claimants of either of the parcels, the A.S.O. will consider the boundary of each of the parcels to be the middle of the wall. If however, the claimants of the two parcels desire to claim the wall as in their joint ownership, the A.S.O. will cause each of the claimants to state in his Memorandum of Claim "wall on common boundary of parcel..../. and parcel/. is a party wall".

470. In describing the boundaries of a parcel the A.S.O. will cause the claimant to enter

- (i) the names of the owners of the surrounding parcels, or "public road", "railway" etc. if such is the adjoining parcel or simply to state the Nos. of the adjoining parcels; or

(ii) if the adjoining parcel is in another registration block, the block and parcel number (..../....); or

(iii) if the adjoining parcel is in another village, "lands of.... village"; or

(iv) if the adjoining land is Masha', "Masha' land of.....locality (or..... village)".

Part B.8.

476. Except for purposes of elimination, the A.S.O. will not communicate to any member of the public the area of a parcel supplied in the list of areas by the Director of Surveys.

477. The A.S.O. will require the claimant to state the area of the parcel which he claims.

478. If the claimant does not know the area, the A.S.O. will cause him to estimate it and to enter the area as estimated with the word "approximately" before the figure of the area.

479. If the area claimed differs considerably from the area stated in the list of areas supplied by the Director of Surveys, the A.S.O. will question the claimant in order to ascertain whether there was a mistake made in the demarcation or in the survey or field inspection, or whether the claimant, having been unable to estimate the area had made a wild guess, and will enter in Part C.1, the result of his enquiry.

Part B.9.

481. The A.S.O. will note that rights or interests such as mortgages, leases, attachments and charges for unpaid taxes etc. must not be entered under this heading but under Part B.11.

482. The A.S.O. will note and explain to claimants that servitudes refer in all cases to parcels and not to persons.

483. The A.S.O. will cause the claimant to enter under sub-head (a) of this Part the servitudes to which his parcel is subject in favour of another parcel and under sub-head (b) of this Part the servitudes which his parcel enjoys over another parcel. The following are examples:-

Sub-head (a).

- (1) Encumbered with a right of way in favour of parcel No.10/27.
- (2) Encumbered with a right of way along its northern boundary in favour of parcel No.18/59.
- (3) Encumbered with a right of way along its common boundary with parcel No.23/40 in favour of parcel No.23/45.
- (4) Encumbered with a right of way for water for irrigation in favour of parcels No.9/22, 15/44 and 15/45.
- (5) Encumbered with a right of obtaining water for irrigation in favour of parcels Nos. 28/6 and 28/10.

Sub-head (b).

- (6) Enjoys right of way over parcel No.8/26.
- (7) Enjoys right of way over parcel No.10/24 along its northern boundary.
- (8) Enjoys right of way for water for irrigation over parcels Nos.28/1 and 22/11.
- (9) Enjoys right of obtaining water for irrigation from well and water installation in parcel No. 18/30. (See also Instructions 490 and 491).

484. The A.S.O. will note that normally a right of way is not of a specific width and will therefore not require the claimant to state the width of a right of way, but if the claimant insists on doing so, will require him to state the grounds on which he bases such a claim.

485. If an award of compensation for a right of way is in question and the width of the right of way is a material consideration, the width may be stated if the parties concerned insist on it.

486. The A.S.O. will note that in accordance with Section 22(1)(c) of the Land Settlement Ordinance, the Settlement Officer has authority to provide right of way to parcels which have no direct access to a public road, and will endeavour therefore to arrange right of way to such parcels by amicable agreement of the owners of the parcels concerned.

487. If amicable agreement for a right of way has been made, the A.S.O. will cause the owner of the parcel in favour of which the right of way is agreed and the owner(s) of the parcel(s) over which the right of way is made respectively to claim and to admit the right in their Memoranda of Claims.

488. If an amicable agreement for a right of way has not been made, the A.S.O. will cause the claimant of the parcel to which a right of way is required to enter under this heading the parcel Nos. (..../....) over which he claims a right of way, will obtain the views of the notables of the village and of the members of the Village Settlement Committee and, if still failing to secure amicable agreement of the persons concerned, will prepare a report with his recommendations, endorse on it the block and parcel No.(..../....) of the land concerned and attach it to the Memorandum of Claim of the parcel which requires the right of way.

489. If in his recommendations the A.S.O. suggests that compensation for a right of way be paid, he will state the amount recommended and his reasons both for the recommendation that compensation be paid and for the amount suggested.

490. If rights of way for water for irrigation, or rights of obtaining water for irrigation from a well, tank, etc. are governed by agreement between the owners of the parcels concerned and are limited to a period prescribed in the agreement and are not

necessarily binding on a change of ownership of the parcels, the A.S.O. will not cause them to be claimed.

491. In the circumstances described in Instruction 490, if the claimant insists on claiming the rights, the A.S.O. will cause him to submit a certified true copy of the agreement, will endorse on the agreement ~~the~~ block and parcel No.(..../.....) concerned and attach it to the claim.

Part B.10.

501. The A.S.O. will note that under the terms of Section 50(a) of the Land Settlement Ordinance, while the Settlement Officer is not obliged to, he may carry out partition of a parcel which is owned by two or more owners, if the partition is applied for by a co-owner whose share in the parcel is registered and who has submitted the application for partition at the time of submission of his claim to the share in the parcel.

502. If the co-owner of a parcel whose share in the parcel is not registered in his name applies for partition of the parcel, or if a person whose share in a parcel is registered does not apply for partition under this heading at the time of the submission of the Memorandum of Claim, the A.S.O. will inform him that the partition will not be made by the Settlement Officer and will note under Part C.1, that he has so informed the co-owner.

503. If the co-owners of a parcel desire themselves to carry out a partition of the parcel, the A.S.O. will grant them a short period within which the partition must be completed, or within which an agreement signed and duly stamped (50 mils stamp) by all the co-owners must be made as to the method and nature of the partition, noting this under Part C.1, and will inform them that, if at the end of the period the partition is not completed, or the agreement has not been made, the parcel will be treated as in joint ownership.

504. If at the end of the period stipulated the partition has not been carried out and no agreement as to the method and nature of the partition has been signed (Instruction 503), the A.S.O. will treat the parcel as co-owned and note this and the reason therefor under Part C.1.

505. If the co-owners have carried out the partition within the stipulated time, the A.S.O. will direct them to submit a signed and stamped (50 mils stamp) agreement of the method and nature of the partition and mutual acceptance thereof, and will then measure the parcels, allot numbers to the parcels, amend the block plan and enter a note thereon as directed in Instructions 277 to 279, endorse on the agreement the serial number of the Memorandum of Claim of the original parcel, attach the agreement to the claim and make reference to the agreement in Part C.1 of the Memorandum of Claim.

506. If the co-owners have not carried out the partition but have submitted a signed and stamped (50 mils stamp) agreement detailing the method and nature of the partition and agreeing that it should be made by the Director of Surveys, stating either

(a) in accordance with the shares owned by each co-owner, or

(b) by the Director of Surveys allotting a number of dunums to each co-owner specified in the agreement,

the A.S.O. will sketch on the block plan the approximate boundaries of the parcels (subdivisions of the original parcel), give numbers to the parcels, note on the plan the manner in which the partition is to be made and the names of the owners of the parcels, endorse on the agreement the serial number of the Memorandum of Claim of the original parcel, attach the agreement to the claim, make reference to the agreement in Part C.1, of the Memorandum of Claim and direct the owners of the parcels to deposit with the Mukhtar of the village the requisite angle-irons for the demarcation of the parcels when the revising surveyor arrives in the village to survey the parcels.

507. In the circumstances prescribed in Instructions 505 and 506, the A.S.O. will amend Part A of the Memorandum of Claim of the original parcel, to show the numbers of the new parcels into which the original parcel has been subdivided.

508. If the proposed partition scheme (Instruction 506) is of large dimensions and is involved, and is likely to entail considerable work on the A.S.O., he will refer the matter to the Settlement Officer, Central Office, for instructions.

509. If the ownership of the parcel to be partitioned is disputed, or if the total number of shares in the parcel is disputed, the A.S.O. will inform the co-owners that the partition of the parcel will not be made.

510. If only the ownership of a share in the parcel is disputed and the counterclaimant to the share agrees to restrict his counterclaim to the parcel which may be allotted at the partition to the original claimant of the share which he counterclaims, the A.S.O. will allow the partition and direct the counterclaimant to submit a counterclaim to the resulting parcel which is allotted for the share.

511. For the partition of Masha' see also Instructions 62 to 70, 200, 203, ~~and~~ 716 to 727 and 1236 to 1268.

Part B.11.

General.

521. The A.S.O. will note that charges on a parcel comprise mortgages, attachments, leases for a period of more than three years or which contain a clause providing an option of extension of the term to more than three years and not otherwise, outstanding Government taxes and agricultural loan instalments for which attachment has been ordered by the competent authority, and agricultural loan instalments which are secured by a mortgage on the property of the debtor.

522. The A.S.O. will not accept for registration under Land Settlement unregistered deeds of mortgage or agreements of leases if they are not written legibly or if they contain terms which are illegal.

523. If the claimant of a parcel refuses to admit a registered charge which is still in force against his parcel, the A.S.O. will draw his attention to the terms of Part B.14 which he will have to sign and warn him of the consequences to him of making a false statement on oath, and will cause him to write a statement on the back of the Memorandum of Claim giving his reasons for refusing to admit the existence of such a charge.

524. If the claimant of a parcel admits a charge on the parcel which is made by another person and himself enters the charge in his Memorandum of Claim under this heading, the A.S.O. will not cause the person in whose favour there is the charge to submit a separate Memorandum of Claim for the charge.

525. If the person in whose favour there is a charge, which is admitted by the claimant of the parcel, particularly wishes to submit a separate Memorandum of Claim for the charge, the A.S.O. will cause him to enter the necessary particulars under the relevant headings of the Memorandum of Claim, and will cross reference the serial numbers of the claim for the parcel and for the charge and attach the two Memoranda of Claims together.

526. If the claimant of a parcel does not admit a charge, or if he admits it only in part, the A.S.O. will cause the claimant of the charge to submit a separate Memorandum of Claim and any documents which may be necessary to support his claim, will cross reference the serial numbers of the Memorandum of Claim for the charge and of the Memorandum of Claim for the parcel and attach the two Memoranda of Claims together.

Mortgages.

531. In the case of a mortgage which is registered, the A.S.O. will cause the claimant to state in the first column of this heading the degree of the mortgage and the amount secured by the mortgage, and full particulars in the second and third columns.

532. In the case of a mortgage which is not registered, the A.S.O. will cause the claimant to state in the first column of this heading the degree of the mortgage and the amount secured by the mortgage, and full particulars in the second and fourth columns.

533. In the case of a mortgage which is not registered, the A.S.O. will require the claimant to submit three copies of the Deed of Mortgage duly stamped, signed and witnessed, and will satisfy himself that the land which is the subject of the mortgage is the parcel in the registration block to which the claim refers, that the Deed states clearly if the mortgage is of the whole parcel, or if it is only of part of the parcel to what part or fraction of the parcel the Deed refers, that the Deed contains no clause providing for the payment of interest exceeding the legal rate of interest, that it is not and does not purport to be a "Bei' bil Wafa", "Faragh bil Wafa" etc. i.e. giving the mortgagee the right of immediate possession of the mortgaged land, that the terms of the Deed are clear and that it complies with the Law of Mortgage in force.

534. If the mortgagor desires to grant to the mortgagee the right to use the land which right cannot be granted in the Deed of Mortgage, the A.S.O. will inform the parties that they must provide for such right by an Agreement of Lease on a separate document duly drawn up, stamped, signed and witnessed.

535. In the case of a mortgage, whether it is ~~already~~ registered or is not registered, which relates to more than one parcel, the A.S.O. will cause the claimant to state in the Memorandum of Claim the numbers of the parcels to which it relates.

536. If the mortgage is of part only of a parcel, the A.S.O. will cause the claimant to state in the Memorandum of Claim the fraction to which the mortgage relates (.e.g. one undivided half, 5 shares out of 32 shares etc.) and if the mortgage relates to the share or shares or part-share of a particular person in the parcel, will also cause him to state this clearly.

537. In the case of a collateral mortgage, if any parcel affected by the mortgage is situated in another village, which has already been settled, the A.S.O. will cause the claimant in addition to the particulars prescribed in the preceding Instruction, to enter the name of that village and the registration block(s) and parcel(s) number(s) in that village.

538. If any parcel which is affected by a collateral mortgage is situated in another village, which has not been settled, the A.S.O. will cause the claimant, in addition to the particulars prescribed in the preceding Instructions, except Instruction 537, to enter the name of that village, and the A.S.O. will enter in Part C.1 of the Memorandum of Claim a note to that effect.

539. If a mortgage is recorded in the unofficial Land Book of the village and is admitted by the claimant of the parcel to which it relates, the A.S.O. will cause the claimant of the parcel to state in the first column of this heading the degree of the mortgage and the amount secured by the mortgage, and full particulars in the second and fourth columns and add the particulars of the entry in the unofficial Land Book across the columns.

540. If a mortgage is recorded in the unofficial Land Book of the village, the A.S.O. will, notwithstanding, obtain the Deed of Mortgage and file it, but if the document cannot be obtained the A.S.O. will make an extract of the entry in the unofficial Land Book and file the extract with the claim endorsing on the extract the serial number of the Memorandum of Claim.

541. If the claimant of a parcel and the claimant of a mortgage on the parcel both agree that the amount secured by the mortgage is different from the amount recorded in the Land Register or in the Village Unofficial Land Book, the A.S.O. will cause them to execute a new Deed of Mortgage stating therein the correct amount of the debt and will cause the mortgagee to sign a declaration to the effect that the previous mortgage is cancelled and null and void, unless the new Deed of Mortgage contains a clause to this effect.

542. The A.S.O. will note that the burden of ascertaining and indicating the parcel or parcels to which a mortgage relates is on the mortgagee, i.e. claimant of the mortgage.

543. If the mortgage is not registered in the Land Registry nor recorded in the Village Unofficial Land Book and the claimant of the mortgage is not able to identify the land which is the subject of the mortgage, the A.S.O. will not accept a claim for the mortgage.

544. If the mortgage is registered in the Land Registry or is recorded in the Village Unofficial Land Book, and the original parcel to which the mortgage related has lost its identity, or if the mortgage related to a share in Masha' which has since been partitioned and the registered owner of the Masha' share is not a claimant to any parcel in the former Masha' locality in which he had the registered share, the A.S.O. may accept a claim from the mortgagee but will require him to submit in addition a signed statement explaining the circumstances of the case. The A.S.O. will warn him that he should make every endeavour to trace the parcel (or parcels) relating to the mortgage before the public investigation of rights takes place and that if he should fail to trace the parcel(s) concerned the Settlement Officer may not be able to admit his right, and will enter a note in Part C.1 that he has so warned the claimant. The A.S.O. will also call upon the mortgagor to submit a full and sworn statement as to the identity of the land and warn him of the consequences of perjury if he swears falsely that he does not know where the land is or makes any other false statement.

545. The A.S.O. will not accept a claim for a disputed mortgage which the claimant of the mortgage states was concluded by a verbal agreement and not a written Deed, nor will he accept a claim for an agreed mortgage unless it is accompanied by a Deed of Mortgage.

546. The A.S.O. will note that claims on behalf of Government for agricultural loans etc. which are secured by mortgage and claims for Ottoman Agricultural Bank (in liquidation) mortgages will be submitted by the Attorney General or his representative and if the block and parcel number of the land affected is not quoted the A.S.O. will enquire from the persons shown as the mortgagors and if necessary from members of the Village Settlement Committee and the Mukhtars and elders of the village and will make every endeavour to trace the parcels. The A.S.O. will also act as directed in the last sentence in Instruction 544.

547. If the A.S.O. succeeds in tracing the parcels to which the Government claim refers (See Instruction 546) and the claimant of the parcel admits the Government claim to the mortgage, he will enter the particulars under Part A of the Government Memorandum of Claim and attach that Memorandum of Claim to the claim for the parcel concerned, or if more than one parcel is affected by the Government claim, he will treat the claim as a general claim and make the necessary cross references and observations on all the Memoranda of Claims concerned.

548. If the parcels affected by the Government or Ottoman Agricultural Bank claim to mortgages are traced but the claimants of the parcels do not admit the mortgage, the A.S.O. will proceed in accordance with the general instructions regarding disputed claims.

549. If the parcels affected by the Government or Ottoman Agricultural Bank claims to mortgages cannot be traced, or if the A.S.O. is in doubt as to their identity, he will proceed in accordance with the special Instructions regarding Government claims in Instructions 741 and 743 to 745.

Attachments.

561. If the claimant of a parcel admits an attachment thereon which has been registered in the Land Registry, the A.S.O. will cause him to enter the particulars of the attachment in the first second and third columns of this heading and to state in addition the particular Court which made the Order of Attachment.

562. If the claimant of a parcel admits an attachment thereon which is recorded in the Village Unofficial Land Book, the A.S.O. will cause him to enter the particulars of the attachment in the first second and fourth columns of this heading and to state in addition the reference to the entry in the Unofficial Land Book, the name of the Court which made the Order of Attachment and the number and date of the Order.

563. The A.S.O. will endeavour to trace the parcels to which the attachments relate which are enumerated in the list of Court Attachments supplied by the Land Registrar (See Instruction 145). He will call upon the persons in whose favour the attachments were made, and if necessary, on the Village Settlement Committee and the Mukhtars and elders of the village etc. to assist him. He will also call upon the person whose name is in the list as the owner of the land which has been attached to submit a full and sworn statement as to the identity of the land to which the attachment relates and warn him of the consequences of perjury if he swears falsely that he does not know where the land is or makes any other false statement.

564. If the A.S.O. succeeds in tracing a parcel to which an attachment in the list of the Land Registrar (Instruction 145) relates and the claimant of the parcel admits the attachment, the A.S.O. will cause the claimant of the parcel to enter the particulars under this heading as directed in Instruction 561, and will enter in Part C.1, the serial number of the attachment in the Land Registrar's list, and enter the No.(s) of the parcel(s) concerned against the attachment entry in the Registrar's list.

565. If the A.S.O. succeeds in tracing the parcel to which an attachment relates and the claimant of the parcel does not admit the attachment, the A.S.O. will enter in Part C.1, of the Memorandum of Claim for the parcel a note that attachment No.... in the Land Registrar's list is not admitted, will make an extract of the entry in the Registrar's list for easy reference and attach the extract to the Memorandum of Claim for the parcel endorsed with the serial number of the Memorandum of Claim.

566. If the claimant of a parcel states that an attachment against his parcel has been released, the A.S.O. will direct him to effect the release in the Land Registry and to submit the certificate of release, or to bring before him the person in whose favour the Order of Attachment was made. The A.S.O. will direct that person to make a statement in writing in his presence confirming the release of the attachment and will certify that the statement was written in his presence, will endorse on the statement the serial number of the attachment in the Registrar's list and the serial number of the Memorandum of Claim of the parcel to which the attachment related and will attach the statement to the Memorandum of Claim for the parcel.

567. If the A.S.O. is not able to trace a parcel to which an attachment in the Land Registrar's list relates (Instruction 145), he will proceed in accordance with Instructions 741 and 743 to 745.

568. If a person presents to the A.S.O. an Order of Attachment that has not been registered in the Land Registry, or a Certificate in the nature of a Caveat, the A.S.O. will direct him to submit a Memorandum of Claim stating therein the number(s) of the block(s) and parcel(s) (..../....) to which the Order of Attachment or Caveat relates, and will enter in Part C.1, of the Memorandum of Claim for the attachment or Caveat and in Part C.1, of the Memorandum of Claim for the parcel(s) concerned the necessary notes to facilitate reference.

569. The A.S.O. will not accept an Order of Attachment or a Caveat which is not made by a competent Court or Execution Officer.

570. The A.S.O. will note that a Certificate in the nature of a Caveat is not registrable as an attachment but it operates to prevent the owner of the parcel to which it relates from disposing during settlement of the land to which it refers.

571. If the person in whose favour an Order of Attachment is made which is not registered, or in whose favour a Caveat is made, is unable to identify the parcel to which such attachment or Caveat relates, the A.S.O. will call upon the person whose name is stated in the Order of Attachment or in the Caveat as the owner of the land to which the Order ~~of~~ relates to submit a sworn statement as to the identity of the land to which the Order or Caveat relates. If it has not been possible to identify the parcel, the A.S.O. will not accept the attachment order or caveat but will return it to the person presenting it with a covering letter stating his reasons for refusing to accept it and send a copy of the letter to the Settlement Officer, Central Office.

Leases.

576. If the claimant of a parcel admits a registered lease of the land, the A.S.O. will cause him to enter the necessary particulars in the first, second and third columns of this heading and to state in addition, if the lease relates to other parcels, their block and parcel numbers.

577. If the claimant of a parcel acknowledges a registrable lease of the land, but the lease has not been registered, the A.S.O. will cause him to enter the necessary particulars in the first, second and fourth columns of this heading, to state also whether the agreement of lease relates to other parcels and to state their block and parcel numbers/....., and will direct the lessee to submit three copies of the agreement of lease duly stamped, signed and witnessed.

578. The A.S.O. will examine all agreements of lease submitted to him and satisfy himself that the land referred to in the lease is the parcel stated in the Memorandum of Claim, that it is clear that the lease is of the whole of the parcel (if the lease is only of part of the land of a parcel (See also Instructions 48, 263/)), that the lease is for a stated period from a definite date, that the amount of the rent is clearly stated and that the terms of the lease are clearly stated and do not conflict with the Law in force concerning leases.

579. If a registrable lease has not been registered but is recorded in the Village Unofficial Land Book and its existence is admitted by the claimant of the parcel to which the lease relates, the A.S.O. will cause the claimant of the parcel to enter the necessary particulars in the first, second and fourth columns of this heading and also to quote the reference to the entry in the Unofficial Land Book. He will direct the Lessee to submit a copy of the Agreement of Lease, but failing its submission he will make an extract of the entry in the Unofficial Land Book, endorse on it the serial number of the Memorandum of Claim for the parcel and attach the extract to the Memorandum of Claim.

580. The A.S.O. will note that the burden of ascertaining and indicating the land to which an Agreement of Lease relates, whether the Agreement of Lease has been registered or has not been registered, is on the Lessee, i.e. claimant of the Lease, and that the directions in Instructions 542, 543 and 544 in respect of mortgages apply equally to leases.

Cultivation and Grazing
rights.

591. The A.S.O. will note that cultivation and grazing rights as such in the lands of others are not registrable rights and will not accept any claims for such rights.

592. If there is a registrable lease of land, the terms of which confer cultivation or grazing rights on the lessee, the A.S.O. will not concern himself with a claim for those rights but with a claim for the lease of the land.

Part B.12.

596. The A.S.O. will withdraw from the claimant all documents which he may have in support of his claim.

597. The A.S.O. will give a receipt (Form CL/42) for the document withdrawn from a claimant and will endorse on the document the receipt number.

598. The A.S.O. will ask claimants who submit documents in support of their claims (excluding extracts from the Existing Register and certificates of succession) whether they will require the originals or a copy of any document to be returned to them in due course. If the answer is in the affirmative, the A.S.O. will direct the claimant to submit both the original and a true copy thereof, and if the letter is correct the A.S.O. will have it duly stamped by the claimant and will certify that it is a true copy. The original and the copy will be filed together, and the A.S.O. will note under Part C.1, of the claim that the claimant requires the original (or the certified true copy) to be handed back to him in due course.

599. The A.S.O. will inform all claimants who submit certificates of succession that if they require copies of the certificates they must apply to the Court which issued the original certificate. If the certificate of succession was issued by the Land Settlement Qadi and the Qadi is in the village or in the immediate neighbourhood, the claimant will be directed to apply to him for a copy, if he desires one, but if the Qadi is not readily available, the A.S.O. will instruct the claimant to forward an application to the Settlement Officer, Central Office, who will arrange with the Qadi for the required certified copy to be issued. The A.S.O. will inform the claimant that he will be required to attend at the Central Settlement Office in due course on a date to be appointed in order that he may pay the prescribed fee and obtain the copy.

600. The A.S.O. will attach all the documents relating to a particular Memorandum of Claim to that Memorandum. He will serially number the documents on top in red ink commencing with the number one for each Memorandum of Claim, and will add on each document the registration block and parcel number/..... to which it refers. See also Instructions 604-605 in regard to Deeds of Mortgage and Agreements of Lease.

601. With the exception of Deeds of Mortgage and Agreements of Lease, which must be forwarded to the Land Registrar with the Schedules of Rights in regard to which see Instructions 604-605, the A.S.O. will file in a general documents file any document submitted which is in support of two or more Memoranda of Claims. One general documents file will be maintained for each village but where a ruba' or Hamula of a village has lands distinct from the other ruba's or hamulas, a general documents file will be maintained for each such ruba' or hamula.

602. Where separate general documents files are maintained for ruba's or hamulas, the A.S.O. will distinguish them from each other by endorsing on the outside cover "General Documents 'A' ", "General Documents 'B' " etc. followed by the name of the ruba' or hamula.

603. The A.S.O. will number the documents serially in each file beginning with the number one in each file and will endorse on each in red ink the block and parcel numbers / of the parcels to which the document relates.

604. The A.S.O. will attach Deeds of Mortgages and Agreements of Lease which relate to one parcel only to the Memorandum of Claim to which they belong, but if they relate to more than one parcel he will file them in a special file endorsed on the outside cover "Deeds of Mortgages and Agreements of Leases".

605. The A.S.O. will endorse all Deeds of Mortgage and Agreement of Lease with the numbers of the parcels to which they relate. He will make the endorsement as below in red ink at the top of the first page of the document, except the actual parcel number which he will enter in pencil and which will be completed in ink in the Central Settlement Office in due course when the final parcel numbers have been allotted. The endorsement will be as follows:-

"This deed relates to the undermentioned parcels in the village of.....; Nos. /; /; and /"

606. The A.S.O. will compile an index in English for each file of general documents which he will attach inside the file cover. He will compile the index in alphabetical order in the following form:-

./.

Folio	Type of document	Name

607. The A.S.O. will enter as follows in the third column of the form described in Instruction 606:-

- (i) For Kushans, the names of the persons appearing on the Kushans.
- (ii) For Certificates of Succession, the names of the persons recorded therein from whom the heirs inherit.
- (iii) For Renunciations, the names of the persons who renounce their rights.

Arabic names must appear in the index under the initial letter of the first name and those of Europeans and Jews under the initial letter of the family name.

Stamp Duty.

611. The A.S.O. will study the Stamp Duty Ordinance and before accepting a document will ensure that it is properly stamped in accordance with the provisions of that Ordinance and if it is not so stamped he will refuse it.

612. If the A.S.O. is in doubt as to the proper stamping of a document he may either direct the claimant himself to take the necessary steps to ascertain the correct stamp duty by obtaining written advice from the Commissioners of Stamp Duty and produce that letter with the properly stamped document, or, if the claimant agrees, the A.S.O. may forward it to the Settlement Officer, Central Office, for advice, making it quite clear to the claimant at the time the document has not been accepted as a valid document and he will not give a receipt for it as such.

/that

613. The A.S.O. will note the following for his guidance:-

(a) If the Settlement Officer, with the consent of the parties, refers to arbitration any dispute arising out of a claim, the award when authenticated will have the effect of a decision of the Settlement Officer and, for the purpose of the Stamp Duty Ordinance, 1927, will be deemed to be an award of arbitration appointed by the Court. This has the effect of exempting it from stamp duty as an award, but stamp duty will be required on the issue of a certified copy. Where arbitrators are appointed otherwise than by order of the Court, the award is liable to stamp duty.

(b) An agreement for partition will be liable for stamp duty in accordance with Clause 1 of the Schedule to the Ordinance.

(c) Copies of extracts from any Register are liable to duty in accordance with Clause 13 of the Schedule, and so are copies of extracts of or from documents chargeable with duty. Those provisions apply to all copies or extracts of the New Register to be drawn up in the settlement and to any document dealt with by the Settlement Officer which is itself chargeable with duty. It is to be noted, however, that conveyances other than leases are not subject to duty.

(d) There is no need for stamps for notarial acts unless the copy is used by a notary.

(e) A mortgage of immovable property is not dutiable as a mortgage; nor is it dutiable as a receipt because it contains a receipt clause; nor is it dutiable as a promissory note because it contains an undertaking to pay at a specified time or at specified times. These principles apply to a document of which the true nature is that of a mortgage.

(f) If there is a third party to the document (i.e. someone other than the mortgagor or mortgagee) who gives a guarantee or some other undertaking which makes the document not only a mortgage but also a document attracting duty by reason of such undertaking, the document will be dutiable as a guarantee or under some other item in the Schedule. (Authority Treasurer letter 408/624 of 22.1.31).

Documents of Foreign Origin.

616. In regard to documents of foreign origin the L.S.O. will note the following for guidance and action where it concerns him:-

(a) If a foreign document is produced in the course of settlement in connection with any claim, such document must:-

comply with the provisions of the Proof of Foreign Documents Ordinances, 1924-28; and

be properly stamped under the Stamp Duty Ordinances, 1927-29, where applicable.

(b) The Proof of Foreign Documents Ordinance, 1924, provides that it shall not be necessary to prove the signature or seal or the official character of the person purporting to attest such acknowledgment or declaration.

(c) It may happen that heirs living abroad send Certificates of Succession which they have omitted to have attested by a British Consular Officer. In order to avoid delay in settlement operations, if the claim is not contested or if it is a contested claim and the opponents do not contest the validity of the documents described below; where the deceased person was of Palestinian nationality and all the heirs are living outside Palestine, a Certificate of Succession from the Rabbinate of the town in which they live, stating who the heirs are and the degree of the relationship of each heir, may be accepted by a Settlement Officer even if the heirs have omitted to have the Certificate attested by a British Consular Officer. The Settlement Officer will then state what the shares are of each heir according to the law in force in Palestine.

(d) If the deceased was not of Palestinian nationality, a sworn statement of succession by one of the heirs authenticated by a Commissioner of Oaths, may be accepted. If the statement is sent in the form of a notarial document, it must be stamped in accordance with the Stamp Duty Ordinance.

(e) If the property claimed is of the mulk category, the statement must be accompanied by a certified copy of the probate of the will, or if the person from whom the heirs succeed died intestate, an additional authenticated statement from a Court or from a lawyer in the country of the deceased reputed owner will be required, specifying what the law of that particular country is in regard to succession to immovable property.

(f) If the property claimed is of the Miri category, the Settlement Officer will state what the shares are of each heir according to the Miri Law of Succession. A will is inoperative in regard to Miri land.

(g) If the claim is contested and the opponents also contest the validity of the documents described above, it will be necessary for the claimants to provide documents attested by a British Consular Officer and complying in every particular with the formalities prescribed in the law in force in Palestine.

(h) If one of the heirs is in Palestine, he should obtain the necessary documents from the Religious Court of his community or from the Consul.

Certificates of Succession.

621. The A.S.O. will immediately forward to the Settlement Officer, Central Office any Certificate of Succession submitted to him which has been issued by the Land Settlement Qadi and which does not bear a serial number and the number of the Qadi's receipt for the fee prescribed for the Certificate.

622. If the 'final' shares of the surviving heirs are not shown on a Certificate of Succession, the A.S.O. will compute them, but if the shares are complicated and the denominator of the fraction runs into a large number of figures and it is necessary to reduce them to a manageable denominator, the A.S.O. will forward the Certificate to the Settlement Officer, Central Office, who will have the final shares worked out and shown on the Certificate and return the Certificate to the A.S.O.

623. The A.S.O. will note that the Moslem and Jewish Religious Authorities have agreed to the following charges for certificates of succession issued in the villages by their Qadis and Rabbis:-

Moslem: 400 mils for a certificate of succession which includes the settlement of a dispute as to succession.

Jewish: 400 mils for a certificate of succession where there is no dispute to be settled. The fee for the settlement of a dispute as to succession, which will include the issue of the certificate, will be one-half per cent of the value of the property.

Mortgages.

626. See Instructions 551 to 549 for the completion of Part B.11.

Leases.

627. See Instructions 576 to 580 for the completion of Part B.11.

Attachments and Caveats.

628. See Instructions 561 to 571 for the completion of Part B.11.

Kushans and Certificates of Registration & Extracts from the Existing Register.

629. The A.S.O. will very carefully read through the Kushans, Certificates of Registration and extracts from the Existing Register and will ensure that they relate to the specific parcel claimed for which they are submitted as supporting documents.

630. If the A.S.O. is not able from the particulars of the boundaries and other matters in the Kushan or Certificate or extract clearly to relate the document to the parcel for the claim of which it purports to be the supporting document, the A.S.O. will cause the claimant to submit with the document a statement in writing setting out his reasons for stating that the document relates to the particular land which is the subject of the claim, and will also make such enquiry from the members of the Village Settlement Committee, Mukhtars, elders and others as may be necessary in order that he may be able to say whether or not in his opinion the document relates to the particular parcel or parcels which are the subject of the claim. He will enter a note of his opinion in Part C.1, endorse on the document the serial number of the Memorandum of Claim and attach it to the claim.

631. The A.S.O. will compile a list, in duplicate (indelible pencil with carbon), by registration block, of Kushans dated prior to 1920 which have been submitted by claimants in support of claims to parcels stating the serial number of the Memorandum of Claim and the provisional number of the parcel against the Kushan number in the list and will forward one copy to the Registrar with a request to enter against the Kushan items any particulars of mortgages, leases, attachments and other charges still in force against the land to which the Kushan refers and to return the list to him. On the return of the list the A.S.O., in respect of the parcels on the list for which charges have been stated by the Registrar, will enter in Part C.1, 'observations' in the Memorandum of Claim of each parcel affected a note of the charge and will attach the list to the file of the registration block concerned.

Renunciations.

636. If a claimant renounces his rights to an interest in a parcel in order to give formal effect to an unregistered transaction made prior to Land Settlement, or for any other valid reason desires to renounce his rights, the A.S.O. will cause him to fill up and sign a Deed of Renunciation (Form CL/88).

637. If a claimant renounces his rights to an interest in a parcel, the A.S.O. will ensure that all the particulars required are entered by the claimant in the Deed of Renunciation and especially that he correctly states the block and parcel number / of the parcel concerned, that the document is signed in his presence by the claimant and by two witnesses who are known to the A.S.O. and will himself countersign the document in their presence.

638. The A.S.O. will note that a minor or other person under legal disability may not himself sign a renunciation, that although a co-owner or a relative of the claimant may claim a right on behalf of the claimant he cannot dispose of such right unless he has a power of attorney which authorises him to do so. He will carefully examine any power of attorney to ensure that that document clearly provides authority for the person in whose favour it is made to do the act which he proposes to do on behalf of his principal, e.g. if the agent has not specific authority to dispose of the land of his principal he must not be allowed to renounce it, neither may he be allowed to dispose of the land of his principal in a village or locality if the power of attorney is specifically limited to the land of his principal in another village or locality.

639. Subject to the provisions of Instruction 641, before the A.S.O. accepts a renunciation from any person he will ensure that the name of that person is not in the list of the District Officer (Instruction 125) of persons whose Government taxes or agricultural loan instalments etc. are unpaid.

640. If a person who desires to renounce his rights in land states that he has already paid any taxes or agricultural loan instalments etc. due from him, the A.S.O., before accepting the renunciation, will require him to submit a certificate to that effect from the District Authorities or will return to him the Deed of

Renunciation duly filled in and signed by the claimant and his witnesses, but not by himself, and will direct the claimant to obtain an endorsement on the document "no objection" signed by the District Authorities, and on the submission to him of the document so endorsed will then sign it in the space provided for the signature of the A.S.O. and accept it subject to its legal admission by the Settlement Officer.

641. The A.S.O. may accept a renunciation in the following circumstances even though the name of the person renouncing appears on the list of the District Officer (Instruction 125):-

(a) If charges payable by a person are stated on the list to be due on particular parcels or shares and the parcel or share to be renounced is not one of those on which the charges are due;

(b) In the case of the elimination of a sub-minima parcel or share under a Minima Order, whether such elimination be voluntary or made by the Settlement Officer, or of a re-alignment made by the Settlement Officer, if the person whose parcel or share is eliminated has sufficient land left over in the village to cover all outstanding Government charges due from him;

(c) In the case of an elimination under a Minima Order or of a re-alignment which is made by the Settlement Officer and the owner of the parcel or share eliminated has not sufficient land left over in the village to cover all outstanding Government charges due from him. But in this case, unless the charges are paid by the previous or the new owner of the eliminated parcel or shares, a charge in favour of the Government will be entered against the parcel or share with which the eliminated parcel or share has been combined and notification to that effect will be sent to the District Officer concerned;

(d) Where there is an exchange of parcels and there is no appreciable difference in the value of the parcels exchanged;

(e) Where a person renouncing a parcel or share has sufficient land left over in the village to cover all outstanding Government charges due from him;

(f) Where a person renouncing a parcel or share has no other land, or has not sufficient land, in the village left over to cover all outstanding Government charges due from him; if the person in whose favour the renunciation is made signs an Acceptance of Liability for all outstanding Government charges due from the owner of such parcel. The Acceptance will be duly witnessed by the A.S.O. (or Settlement Officer) and the amount entered as a charge in favour of Government against the parcel which is subject of the renunciation;

The Deed of Renunciation and the Acceptance of Liability will be sent to the District Officer concerned, and a copy of the Deed of Renunciation and of the Acceptance of Liability, also duly signed and witnessed, will be retained in the Settlement files.

(g) Where renunciation is made by one party in favour of the other party in an amicable settlement of a disputed claim which is concurred in by the Settlement Officer in his judicial capacity and the person renouncing has sufficient land left over in the village to cover all outstanding Government charges due from ~~him~~ him, or the other party signs an Acceptance of Liability for all outstanding Government charges due from the first party, the Settlement Officer will take due note of any first charges stated in the lists of the District Officer against either of the parties in an amicable settlement. The Acceptance will be duly witnessed by the A.S.O. (or Settlement Officer) and the amount entered as a charge in favour of Government against the parcel which is subject of the renunciation. The Deed of Renunciation and the Acceptance of Liability, also duly signed and witnessed, will be retained in the Settlement files;

(h) Where a person renounces a parcel which is entered on the lists as a parcel on which Government dues are payable, if the person in whose favour the renunciation is made signs an Acceptance of Liability for all Government dues payable on such parcel, the District Commissioner concurring in the change of liability for the Government dues on the parcel. The Acceptance will be duly witnessed by the A.S.O. (or Settlement Officer) and the amount due entered as a charge in favour of Government against the parcel which is subject of the renunciation. The Deed of Renunciation and the Acceptance of Liability will be sent to the District Officer concerned. A copy of the Deed of Renunciation

and of the Acceptance of Liability, also duly signed and witnessed will be retained in the Settlement files;

(i) Where a person whose name is on the list is the registered owner in the Existing Register of a parcel and a possessory title is given for such parcel to another person under the Registration of Land Ordinance, 1929, but any Government dues outstanding against the registered owner of the parcel will be entered as a charge in favour of the Government against the parcel for which a possessory title is given;

(j) Where a person whose name is on the lists is the registered owner of a parcel and a full title to the parcel is given to another person because such person's claim to the parcel by prescription is admitted, but any Government dues outstanding against the previous registered owner on the particular parcel will be entered as a charge in favour of the Government against the parcel for which the title by prescription is given.

642. The A.S.O. will not accept the renunciation of a parcel or of share in a parcel:-

(a) if there is any dispute whatsoever in respect of any right in the parcel which affects the owner of the parcel or share who desires to renounce; and

(b) if there are any claims to charges on the parcel, such as mortgages, leases, attachments etc. unless such charges are duly released.

643. The A.S.O. will ensure, before accepting a renunciation, that no person has any rights in the parcel under the Protection of Cultivators Ordinance 1933, will direct the claimant of the parcel to submit a signed statement that no persons have any such rights and if, notwithstanding, the A.S.O. has any doubts on the matter he will direct the claimant to submit a statement by the District Officer of the Sub-District that no rights are involved in the parcel under the said Ordinance.

Agreements.

646. In the case of any agreement executed before the A.S.O., the A.S.O. will ensure that the agreement is properly drawn up and signed and, if necessary, stamped.

647. The A.S.O. will read out the agreement to the parties concerned and then certify on it as follows:-

"Statement read over to the parties.....
who agreed with the provisions of same
in my presence at.....this.....day of
.....;

.....
Asst. Settlement Officer
for Settlement Officer
.....Settlement Area."

Note:- Where a formal agreement is made and signed by the parties as distinct from a simple written declaration of withdrawal by a claimant, the provisions of the Stamp Duty Ordinance must be complied with.

Part B.13.

651. The A.S.O. will cause the claimant to enter in this Part any additional statements which may be required in support of his claim which cannot conveniently be entered in any other Part of the Memorandum of Claim.

652. If the person claims that his parcel is recorded in his name in the village Unofficial Land Book, the A.S.O. will cause him to enter the details of that record under the relevant Parts of the Memorandum of Claim and to enter in this Part the date of the entry in the Unofficial Land Book.

653. The A.S.O. will enquire from the person whose parcel is recorded in his name in the Village Unofficial Land Book if he has made an application to the Director of Lands for the correction under the Correction of Land Registers Ordinance, 1926, and if the application has been made but no decision has yet been given by the Director of Lands on the application, will cause the claimant to state so in this Part and direct the claimant to apply to the Director for the withdrawal of the application.

654. If a co-heir claims that his possession of a parcel is adverse to the other co-heirs (see Instruction 431), the A.S.O. will cause him to state in this Part that the other co-heirs have not been in possession since....., they have not cultivated the land or any part of it since....., and have not received any portion of the produce or revenue of any part of it since..... and add any additional statement of particulars which he may desire.

655. In every case of disputed ownership of a parcel, the A.S.O. will cause both the claimant and the counterclaimant to enter in this Part of their respective Memoranda of Claims the facts of their possession of the parcel, each of them stating whether or not he is in possession of the parcel at the time of the claim or counterclaim, and if he states that he is in possession the date from which his uninterrupted possession commenced. If his possession has been interrupted he must state the period during which he was in uninterrupted possession.

Part B.14 - Oath and Signature.

661. On completion of Parts B.1 to 13 inclusive of the Memorandum of Claim Form (CL/32), the A.S.O. will scan the entries in the Memorandum of Claim, compare them with the particulars in the Field Investigation Slip (Form CL/47), with the registration block plan and any supporting documents and if all is in order will then read all the entries in Part B slowly and distinctly to the claimant.

662. If at the end of reading the entries in Part B to the claimant he signifies that the claim is in order, the A.S.O. will then fill in the name(s) of the claimant(s) and his (their) address and cause him (them) to take the oath (or to make a solemn affirmation) by slowly and clearly reading the words of the oath and the claimant(s) repeating the words distinctly after him, the claimant(s) then immediately signing the statement in his presence and the A.S.O. forthwith signing his own name under the form of attestation and adding the date and the name of the Settlement Area.

663. In order to ensure the identity of the claimant who signs the oath or affirmation, the A.S.O. will cause him to sign it in the presence of the persons who will sign the declaration in Part B.15 (Instruction 681).

664. If the claimant is unable to write, the A.S.O. will cause him to affix his seal or his right thumb-print in the presence of the persons who will sign the declaration in Part B.15, and will himself then immediately in the presence of the claimant write below it "thumb-print (seal) of....."

665. The A.S.O. will ensure that no particulars are entered in Part B with which the claimant does not agree.

666. Should a claimant make or insert a statement which is obviously unfounded or incorrect such as that his land is Mulk when all the land surrounding his parcel is Miri, the A.S.O. will suggest to him to ~~xxxx~~ re-consider the matter and if the claimant insists that his claim is correct, will have it entered as the claimant wishes but the A.S.O. will state in Part C.1 what he considers are the correct particulars with his reasons.

667. The A.S.O. will not permit a claim to be signed unless all the Parts B.1 to 13 inclusive have been duly completed.

668. If the claimant has no particulars to enter in Parts B.9, 10, 11, 12 and 13, the A.S.O. will cause him to write 'Nil' or other appropriate entry in the relevant space.

669. If the claimant is not able at the time of signing the claim to submit all the necessary documents in support of his claim, the A.S.O. will cause him to enter in Part B.12 what documents he will obtain and submit at a later date and then allow him to take the oath and sign the claim. In such cases the A.S.O. will direct the claimant to submit the documents by specified date and will note in Part C.1, that he has done so and will state the date by which the documents must be submitted. But see Instruction 670.

670. If, however, owing to the absence of any document any material particulars cannot be entered in any heading of Part B, the A.S.O. will not allow the claimant to take the oath and sign the claim, but will direct the claimant to obtain the document or the necessary information and to return before a specified date to complete and sign the claim, and will keep the Memorandum of Claim in suspense pending such completion.

671. If in specific permissible cases a claimant submits a claim on behalf of another person, e.g. on behalf of a co-owner, or a minor or other person under legal disability, the A.S.O. will cause such claimant to insert his own name in full and to add "on behalf of.....," and if the person submitting such a claim is acting under a Power of Attorney, will cause him to quote the number and date of that document.

672. With the exception of Government claims, the A.S.O. will not accept a Memorandum of Claim from any person resident in Palestine unless it is signed in his presence.

673. If a claimant who is resident outside Palestine sends a Memorandum of Claim duly completed and the oath or affirmation duly attested by a competent person, the A.S.O. may accept the Memorandum of Claim but will note these facts in Part C.1.

674. If a claimant uses a European form of name and signs the claim in Arabic or Hebrew, the A.S.O. will cause him to add in brackets the European form of his name in Latin characters.

675. The A.S.O. will note that the Manager or Director of a Company does not require a power of attorney in order to appear and sign a claim on behalf of the Company.

A Memorandum of Claim signed by a person purporting to be the Director of a Company and bearing the seal of the Company, may be accepted as validly made on behalf of the Company, provided that the applicant produces a copy of a resolution of the Company authorising the Director to act on its behalf.

Part B.15.

681. The A.S.O. will cause the Mukhtar of the village, or a member of the Village Settlement Committee, or other responsible person who will agree to do so, to sign and date the declaration that the statements in the claim are true and correct, the two former to add their official designation or the "other responsible person" his address. Every claim which is based on prescription must be declared as correct by not less than two persons such as Mukhtars, members of the Village Settlement Committee or other responsible persons.

682. If the Mukhtars or members of the Village Settlement Committee or responsible persons of the village refuse to sign the declaration because they do not consider the claim to be accurate, the A.S.O. will, even if two other persons are willing to sign the declaration, make enquiry into the matter and will write a statement of the action which he has taken, the facts which he has ascertained and his recommendations, will endorse on the statement the serial number of the Memorandum of Claim and attach it to the claim, and refer in Part C.1 to the matter and to his statement.

683. If no responsible person will sign the declaration that the claim is correct, the A.S.O. will note this in Part C.1, will make such enquiry as may be necessary as to the accuracy of the claim and attach a note to the Memorandum of Claim, endorse it with the serial number of the claim, in which he will state ~~what~~ what action he has taken, the result of his enquiry and his recommendations.

Part C.1.

691. The A.S.O. will enter in this heading his observations on the claim as submitted by the claimant and any information which he has been able to obtain which will be of importance and assistance to the Settlement Officer in deciding the claim.

692. In the cases of the special reports or notes which the A.S.O. is directed to make in the instructions under Part B, he will also refer here to such reports or notes and if the space provided in this heading is not sufficient for the purpose he will write in this space "See back of claim (or separate paper attached)" and will write his notes and observations on the back of the claim or on a separate paper on which he will endorse the serial number of the Memorandum of Claim and attach the paper to the claim.

693. Where the A.S.O. must make more than one observation or note in respect of a Memorandum of Claim, he will number the observations and/or notes commencing with the number one in each Memorandum of Claim, will add the number of the Part concerned (e.g. Part B.11), the number of the document, if any, etc. as in the following examples:-

- No.1 - B.1 - Claimant 3 - correct name as now shown on certificate on back of claim.
- No.2 - B.1 - Claimant 4 - half of share disputed vide claim No....
- No.3 - B.1 - Claimant 5 - now deceased, Certificate of Succession is GD/A/41.
(note. G.D. = general document)
- No.4 - B.1 - Claimant 6 - See renunciation GD/A/48.
- No.5 - B.2 - Category of all land in village is Miri. claimant does not wish to amend his claim - See document No.4 attached.
- No.6 -B. 5)- Claimants warned to produce Kushan not later than..... Have not supplied it - B.11) explanation attached D.No.6.

- No.7 - B.9 - Claimants refuse to admit right of way claimed on Claim No..... for No..../. See report attached to that claim.
- No.8 - B.10 - Claimants informed that as they are not registered owners no partition can be made - they are not in agreement among themselves.
- No.9 - B.11 - See claim No.... for Ottoman Agricultural Bank mortgage which claimants refuse to admit.
- No.10- B.11 - See item No... on Land Registrar's list of attachments (copy attached - D/8). Claimants do not admit it.
- No.11- B.15 - See report attached (D/9) on refusal of any responsible person to sign.

694. In respect of each observation entered in this Part, the A.S.O. will insert in red ink on the right-hand margin of the particular item in Part B to which the observation refers. "See obs. No...."

695. If the A.S.O. has no observations or notes to record in this Part he will enter here the word 'Nil' which will indicate to the Settlement Officer that the A.S.O. is satisfied that the claim as recorded in Part B is complete in all particulars, that, so far as he has been able to ascertain, all the particulars and documents are correct, that no item in the claim is in dispute (including items in the lists of attachments and/received from the Land Registrar (Instructions 145 and 147)) and that in his opinion and subject to his recommendations in Part C.3 there would seem to be no reason why the Settlement Officer should not admit the claim as it is recorded.

696. If there are many alterations to be made to shares in the parcel due to renunciations, eliminations, withdrawals of claims, death of the claimant etc., the A.S.O. will compile a statement showing the final position of the shares in the parcel, will endorse on it the serial number of the Memorandum of Claim and attach it to the claim.

Part C.2.

701. The A.S.O. will ignore this part.

Part C.3.

702. The A.S.O. will not make any recommendation in respect of any part of the claim which is in dispute.

703. If the ownership of the whole of the parcel is disputed, the A.S.O. will enter in this Part "Nil" entire ownership disputed."

704. If part only of the claim is disputed, the A.S.O. will make his recommendation in respect of the undisputed part e.g.:-

"Claimant No.1 - Full title (subject to mortgage) undisputed possession for more than 10 years.

Claimant No.2)

Claimant No.3(- Shares all disputed by.....

Claimant No.4) of.....

705. If the grounds of his recommendations are the same in respect of all co-owners in a parcel, the A.S.O. will make one comprehensive recommendation applicable to all the co-owners but where the manner of acquisition differs with various co-owners, he must make separate recommendations as in the following examples:-

Ex. (1):

All claimants - full title - inheritance from registered owner.

Ex. (2):

Claimants 1-3 - full title - renunciation from registered owner.

Claimants 4-5 - full title - registered in their names.

Ex. (3):

Claimant 1 (1 share full title - undisputed possession for more than 10 years.
)
(2 shares full title - recorded in his name.
)

Claimant 2) 4 shares full title - inheritance from
 (recorded owner.
) 1 share full title - undisputed possession adverse to co-heirs for more than 10 years.

Ex. (4):

Claimant 1 - 2 shares full title - undisputed possession for more than 10 years.

3 shares possessory title - undisputed possession of share registered in name of....since 1.8.1928. Registered owner is....of..... and has not renounced

Claimant 2 - (2 shares full title - inheritance from registered owner.
)
 (1 share possessory title - undisputed possession of share of co-heir (add name and address since 5.6.1929, who has not renounced.

Claimant 3 - (1 share full title - inheritance from registered owner.
)
 (3 shares disputed by....of..... " - no recommendation.

Claimant 4 - 4 shares disputed by....of..... - no recommendation.

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706. The A.S.O. will carefully note that he should only recommend full title on the grounds of:

(a) registration of the right in the Existing Register in the name of the claimant;

(b) a record of the right in the Village Unofficial Land Book in the name of the claimant;

./.

(c) inheritance or legal and valid renunciation in favour of the claimant from a person having a title under sub-paragraphs (a) or (b); and

(d) where prescription has run against the registered owner and/or his heirs or, if no registered owner is known, by uncontested possession for not less than the 10 (or 15) years period of prescription, in both cases the period of prescription in favour of the claimant to cover the period of his adverse occupation and that of his predecessor (if any such predecessor had no registered or recorded title).

707. The A.S.O. will recommend only possessory title, when:

(a) the registered (or recorded in the Village Unofficial Land Book) owner has not been out of possession for the period of prescription and has not renounced his right;

(b) the heirs of the registered (or recorded in the Village Unofficial Land Book) owner have not been out of possession for the period of prescription nor have they renounced their right; and

(c) where a co-heir who claims by adverse possession against other co-heirs who have not renounced their right and such co-heir has not been in uncontested possession for the period of prescription.

708. The A.S.O. will express his recommendations briefly and lucidly and will not enter into legal arguments. He will sign and date the recommendations and his signature will be considered to indicate that the claim is complete in every particular required except as they may be affected by any observations which he may have made in Part C.1.

Claims to shares in Masha' lands which are held in DEFINITE shares i.e. not joint customary tenure Masha'.

716. On the commencement of his work in a village the Masha' lands of which are not held under joint customary tenure and which he must deal with as Masha', the A.S.O. will instruct the Village Settlement Committee to compile a list of Masha' share-owners with the share(s) of each owner, in the lands of the village, or for each Masha' locality if the Masha' shares are held separately by locality.

717. The A.S.O. will direct the Village Settlement Committee to prepare and compile in public in collaboration with the Mukhtars, heads of Hamulas and elders of the village the list of Masha' share-owners referred to in Instruction 716 and instruct them to indicate on the list the total number of shares in the Masha' lands of the village or in each Masha' locality as the case may be and to sign the lists and certify that they are correct in so far as they and the Mukhtars, heads of Hamulas and elders believe that they are correct.

718. The A.S.O. will direct the Village Settlement Committee that if the ownership of a share in the list referred to in Instruction 717 is disputed, they must show the share as in dispute with the names of the disputing parties and add the name(s) of the party to whom, in their opinion, the share belongs stating their reasons for such opinion.

719. On submission to him of the list referred to in Instruction 717, the A.S.O. will then cause the owners of the shares to submit Memoranda of Claims to shares separately by locality and will follow the general instructions regarding the recording of claims to Mafruz parcels where such instructions are clearly applicable, except as they may be modified by the following instructions 720, 721 and 722.

720. Part A. In place of the registration block number and name the A.S.O. will enter the name of the Masha' locality.

721. Part B.1. The A.S.O. will cause the claimant of a share to state both the numerator and denominator of the share which he claims i.e. the numerator being his share in the Masha' and the denominator being the total shares in the Masha', a common denominator being used in all the claims to shares, except in the case of claims by persons who dispute the total number of shares who must state what they claim the total number of shares to be.

722. Part B.4. The A.S.O. will note that the principles laid down for Mafruz parcels are the same for Masha' shares, viz. the claim must be based on registration of Masha' shares in the name of the claimant or by prescription of a period of 10 years or more. He will cause the claimant to insert all necessary particulars to enable claims by prescription to be checked, such as purchase from a registered or unregistered owner.....years ago and that he has been in undisputed possession of the shares for more than 10 years; or, if the claimant has not himself been in such possession of them for 10 years, that he and his predecessors in title together have been in undisputed possession for that period, and make reference to any certificates of inheritance, renunciations etc. which he submits in support of his claim. The A.S.O. will also ensure that, even where claims are based on registration in the name of the claimant, the first, second and third columns in this heading are duly filled in by the claimant.

723. If the share claimed by a claimant differs from that shown on the list prepared in accordance with Instruction 717, the clerk will refer the claimant to the A.S.O. who will endeavour, with the Village Settlement Committee, to settle the difference. If this proves impossible, the A.S.O. will note in Part C.1 'observations' the difference between the claim and the Committee's list.

724. If the share claimed by a claimant is not admitted by the Village Settlement Committee on the ground that it is over and above the total number of shares of the village or Qita', the A.S.O. will inform the Committee that they should submit to him a written opposition to the claim and will warn them that if they fail to do so, the Settlement Officer may decide to add such additional share to the total number of shares of the village or Qita', and will enter a note of this in Part C.1 of the Memorandum of Claim of the claimant.

725. The A.S.O. will not accept a Memorandum of Claim for Masha' land if the share is not stated by the claimant.

726. When all the claims to Masha' shares have been recorded, the A.S.O. will satisfy himself that all the shares in the lists of the Village Settlement Committee have been claimed in each locality and that the total number of

shares which have been claimed in each locality agrees with the total number of shares in the locality as stated in the lists of the Village Settlement Committee excepting any additional shares (See Instruction 724) which may or may not have been opposed by the Committee.

727. If the details of ownership of shares or the total number of shares claimed are not in agreement with the lists of the Village Settlement Committee (Instruction 726), the A.S.O. will go through the claims with the Committee and compare them with their lists until he has traced the discrepancy.

Mafruz Parcels in Masha' Land.

731. The A.S.O. will cause claimants to submit claims for Mafruz parcels occurring in Masha' areas in the same manner as for parcels in Mafruz villages and will carry out the field inspection work etc. for such parcels in exactly the same manner as for parcels in Mafruz villages, i.e. he will verify the boundaries of the parcel on the ground with the claimant, will note if there are disputes as to the boundaries with adjacent Mafruz parcels or with the adjacent Masha', will prepare Field Investigation Slips etc. The A.S.O. will also refer specially in Part C.1 of the Memorandum of Claim for the parcel that the claim is for a Mafruz parcel occurring in the Masha' area and is not for a share in the Masha'.

Government Claims.

736. The A.S.O. will note that in accordance with Chief Secretary's Circular No.48 Ref.L/29/33 dated 15th June 1933, the Director of Lands is responsible for the submission of all claims in connection with land belonging to Government and rights and interests in land enjoyed by Government.

And in accordance with Chief Secretary's Circular No.23 Ref.L/59/34 dated 7th April 1934, Departments having a claim in a settlement village should first consult with the Department of Lands and then submit particulars of their claims to the Attorney General.

But in practice the General Manager Palestine Railways may submit claims direct for the railway permanent way, railway stations etc. on a Memorandum of Claim Form (CL/32); the Director of Public Works may submit claims direct for scheduled roads; and the Director of Lands may submit claims for all other Government rights and interests and also in respect of the Ottoman Agricultural Bank (in liquidation).

737. In the case of claims to ownership of Mawat and Mehul and to Bedl Misl, the claims submitted by the Director of Lands must be in respect of specific parcels in specific registration blocks and for this purpose the A.S.O. will allow the representative of the Director of Lands to refer to the provisional block plans.

738. The A.S.O. will not require the Memoranda of Claims which are made for Government rights and interests to be signed in his presence neither will he require the oath or affirmation in Part B.14 or the declaration in Part B.15, nor will he sign his name in Part B.14 in such claims.

739. If it should happen that no claim has been made by anybody to a parcel and the A.S.O. ascertains by enquiry that it should belong to Government, he will inform the Settlement Officer, Central Office, in order that the Director of Lands may be requested to submit a formal claim for the parcel.

740. In view of the difficulties referred to and directions given in the following Instructions 741, 742, 743, 744 and 745, the A.S.O. will not postpone dealing with Government claims until he has nearly completed his work in the village but will deal with such claims as soon as possible after his arrival in the village.

741. In the cases where it is not possible in the first instance for a Government claim to refer to a specific parcel the A.S.O. must endeavour to correlate the claim to the relevant parcel on the ground and for this purpose will call upon the Mukhtars, members of the Village

Settlement Committee and persons, including Government Officials, who may have knowledge of the lands to assist him.

742. In the cases referred to in Instruction 741, if the A.S.O. succeeds in ascertaining without any doubt the parcel to which the Government claim refers, he will enter in Part A of the Memorandum of Claim the block and parcel numbers, and if the Government claim conflicts with other claims submitted for the land concerned, the A.S.O. will act generally as directed in Instructions 787 to 795 regarding conflicting claims.

743. In the cases referred to in Instruction 741, if the A.S.O. is unable to trace the parcel, or if he is doubtful of the exact location or extent of the land to which the Government claim refers, he will ask the Land Registrar of the Sub-District in writing to assist him, will send a copy of the letter to the Settlement Officer, Central Office, and will attach his office copy to the Memorandum of Claim concerned endorsing on that copy the serial number of the Memorandum of Claim.

744. In the case referred to in Instruction 743, if the A.S.O. and the Land Registrar are unable definitely to trace the land in question, the A.S.O. will report the matter to the Settlement Officer, Central Office, setting out in his report the details of the claim and the action which has been taken to trace the land in order that the Attorney General may be informed and requested to take such further action as he may desire. The A.S.O. will attach a copy of the report to the Memorandum of Claim concerned endorsing on it the serial number of the Memorandum of Claim and refer to the report in Part C.1 of the Memorandum of Claim.

745. The A.S.O. will send the report referred to in Instruction 744 at the earliest possible date in order that if the Attorney General decided to send a representative to make further investigations on the spot, he may be able to do so before the A.S.O. has left the village and could therefore assist the representative.

746. In the case of Government attachments registered in the Existing Register as set out in the lists of the Land Registrar (Instructions 145 and 147), the A.S.O. will act as directed in Instructions 546 to 548 and 561 to 565, and if he is not able to correlate an attachment with the parcel to which it relates he will act in accordance with the directions in Instructions 743 to 745.

747. If notwithstanding all efforts made by the A.S.O. with the assistance of the Land Registrar and any representative sent by the Attorney General, the A.S.O. is unable to trace the land

t which Government claims and attachments registered in the Existing Register refer, he will, before completing his work in the village, prepare a report with a list in triplicate of all Government claims and registered Government attachments which he has not been able definitely to correlate to parcels, will file one copy of the report and list in the general file of the village, will refer to the report and list under Part C.1 of each Memorandum of Claim concerned and will forward two copies of the report and list to the Settlement Officer, Central Office, who will submit one copy to the Attorney General (See also Instruction 748).

748. In regard to the report and list referred to in Instruction 747, the A.S.O. will give a serial number to each item in the report, will refer in each item to the Government claim or the Registrar's list^{of} registered attachments with a note of the right claimed and a brief report on the matter and the action taken.

749. The A.S.O. will note that 'Baqsis fees' will not be claimed, as the Chief Secretary, in his letter No.L/112/33 of 22nd July, 1933, has authorised the write-off of those fees in a 'settlement village'.

Waqf Claims.

756. If the Waqf Administration or the Mutawalli of a private waqf claims a right to the tithes or other revenue of the lands of the village, the A.S.O. will direct the responsible waqf official to submit a formal claim on a Memorandum of Claim Form in which he will be required to fill in Parts B.1,2,3,4, 12 and 13, stating in Part B.3 the exact share claimed in the tithes or other revenue, and in Part B.13 the extent of the lands or the names of the localities concerned in the claim.

757. If the land of the village is registered in the Existing Register as Miri, and a claim is submitted by the waqf authorities for the tithe or other revenue of the land, the A.S.O. will direct the responsible Waqf Official to fill as fully as possible in Part B.4 the manner by which the right to the tithe or revenue was acquired and to submit all relevant documents in support of the claim noting such documents in detail in Part B.12.

758. On the submission to him of a claim by the Waqf Administration to the tithe or other revenue of the lands of the village, the A.S.O. will write to the District Officer of the Sub-District and request him to state what part, if any, of the revenue of the lands in question are paid or payable to the waqf, the full correct name of that waqf and to whom the revenue is paid i.e. to the Supreme Moslem Sharia' Council, or to the Mutawalli of the Waqf etc. He will send a copy of his letter to the Settlement Officer, Central Office, will endorse on his own copy the serial number of the Memorandum of Claim submitted by the waqf and file the copy with the waqf claim as also the reply from the District Officer.

759. If land is registered in the Existing Register as Miri Mauqufa and no claim for the revenue of the land has been submitted by the Waqf Authorities, the A.S.O. will write to the District Officer of the Sub-District as directed in Instruction 758 and if the reply of the District Officer is to the effect that the revenue or part of it is paid or payable to a particular waqf the A.S.O. will communicate with the responsible waqf official concerned and call upon him to submit a Memorandum of Claim for the Waqf interest.

Claims to Land by Supreme Moslem
Sharia Council.

760. The A.S.O. will note that the constitution of the Supreme Moslem Sharia' Council does not provide authority for the Council to acquire or own land. But, notwithstanding, if

the Council submits a claim to ownership of land, the A.S.O. will cause the duly qualified representative of the Council to fill in all the particulars required in Part B. of the Memorandum of Claim, including the oath or affirmation and obtain the declaration in Parts B.14 and 15, will ensure that Part B.4 is fully completed and that all documents in support of the claim have been submitted. He will inform the representative of the Council that under its constitution it has no authority to own or acquire land and will note in Part C.1 that he has done so.

761. In the case referred to in Instruction 760, the A.S.O. will do nothing in the nature of taking evidence but will make enquiry in the village on the matter and will write a report setting out the information which he has obtained, will endorse on the report the serial number of the Memorandum of Claim and attach the report to the claim or file it as a general document as may be necessary.

762. If a claim of the Supreme Moslem Sheri'a Council is disputed, the A.S.O. will act as directed in Instructions 786 to 795 in regard to conflicting claims.

Mulhaq and Mustathna Waqf.

771. Claims to Mulhaq and Mustathna Waqf must be submitted by the Mutawalli of the Waqf concerned.

772. If the Mutawalli of Mulhaq or Mustathna Waqf submits a claim, the A.S.O. will require him to submit evidence of his appointment as the Mutawalli of the particular Waqf in respect of which he submits the claim.

773. If the Mutawalli of Mulhaq or Mustathna Waqf submits a claim, the A.S.O. will require him to fill in all the necessary particulars in Part B. and in special detail the manner in which the land became waqf, will cause him to submit the Waqfiya and other proofs of dedication and if he affirms that no such documents exist to state so clearly in Part B.12.

Muqata'a and Ijaratein Waqf.

776. Muqata'a Waqfs occasionally occur, as also Ijaratein Waqfs, and in both cases where such waqf claims are submitted, unless the land is so registered in the Existing Registers and is clearly correlated to the parcel which is the subject of the claim, the A.S.O. will require the responsible Waqf Official to submit proof that the land is Waqf including documents etc. and also that it is of the nature of Muqata'a or Ijaratein. He will require the responsible Waqf Official in any case to submit a claim for the rent, referred to as 'Hikr' or 'Ijara Muejjala'.

777. The A.S.O. will note that the difference between Muqata'a and Ijaratein Waqfs is in that in the case of Muqata'a Waqf any trees planted or buildings erected on the land belong to the holder of the land while in the case of Ijaratein Waqf such trees and buildings belong to the Waqf.

General in regard to Waqf Claims.

781. Whenever a claim is made to land as Waqf and the instructions given do not apply, or where there are unusual difficulties or complications, the A.S.O. should communicate with the Settlement Officer, Central Office, stating all the information available and asking advice as to how he should proceed.

Conflicting Claims.

786. When conflicting claims are made, the A.S.O. will cause each of the parties to submit a Memorandum of Claim Form (CL/32) and, when the dispute is that of the ownership of the parcel, clearly and fully to state the facts of possession in their respective Memoranda of Claims as directed in the special Instructions under Part B.13.

787. Except as directed in the following Instructions, the A.S.O. will deal with conflicting claims in exactly the same manner as claims which are not disputed, i.e. he will serially number them in the order in which they are presented, will ensure that the respective Memoranda of Claims contain the full particulars as stated by the (conflicting) parties, especially stating the names of all the share-owners of the parcel and their respective shares so that the discrepancies or points of conflict between the conflicting claims may be apparent, will cause the parties to take the oath or make the affirmation and having done so, then to sign the claim, will attach the Memorandum of Claim Form of the counterclaim to that of the disputed claim, will cross reference both Memorandum of Claim Forms and will endorse prominently in red ink at the top right hand corner of the first page of each Memorandum of Claim Form "conflicts with claim No...."

788. If a person wishes to present a claim to dispute a number of claims which have already been submitted and the grounds on which his claim is made and also the names of the original claimants are the same in every case, the A.S.O. may, in order to avoid the submission by such disputing claimant of a separate Memorandum of Claim for each of the original claims, direct the disputing claimant to submit one Memorandum of Claim only in which he will counterclaim all the original claims which he disputes, but the A.S.O. must ensure that in the Memorandum of Claim the disputing claimant enters as an additional statement in Part C.13 the block and parcel numbers of all the parcels to which his counterclaim refers, i.e. "This counterclaim is in respect of block and parcel numbers /, /, /, etc."

789. In the case referred to in Instruction 788, the A.S.O. will state in Part C.1 of each Memorandum of Claim concerned, i.e. the original claims and the disputing claim, "this claim conflicts with Memorandum of Claim Nos...."

and will also endorse prominently in red ink at the top right hand corner of the first page of each Memorandum of Claim concerned, i.e. the original claims and the disputing claim "conflicts with claim(s) No.(s)"

790. In the cases referred to in Instruction 788 the A.S.O. will place the disputing Memorandum of Claim in a file on which he will endorse on the outside of the file cover "Claims conflicting with more than one Memorandum of Claim".

791. Where conflicting claims are submitted, the A.S.O. will make such enquiry as may be necessary in order to ascertain exactly what the dispute is about. He will do nothing in the nature of taking evidence but will endeavour to understand what the issues are in the dispute and will then write a statement setting out clearly in brief what he understands the issues to be. He will attach the statement to the two conflicting claim Forms where the dispute affects only one original claim (Instruction 787) but where the dispute affects a number of original claims (Instruction 788) he will attach the statement to the disputing claim. In either case he will refer to the statement in Part C.1 of the disputing claim.

792. It is important that the number of disputes which must be heard by the Area Settlement Officer should be reduced to the absolute minimum. The A.S.O. will therefore endeavour, without doing anything in the nature of taking evidence, to bring about amicable settlement of disputes by contending parties when it appears that the issues of the dispute are trivial and also in other disputes, but in regard to the latter he will not delay his other work in the village, or unduly prolong his stay there without the concurrence of the Settlement Officer, Central Office.

793. If the original claimant agrees to waive his claim in favour of the disputing claimant, or vice versa, the A.S.O. will cause the waiving party to endorse his Memorandum of Claim to that effect across Part B.1 of the Memorandum of Claim and sign and date the endorsement, and the A.S.O. will immediately witness the claimants signature to the endorsement and will enter in Part C.1 of all the Memorandum of Claim Forms concerned that the disputing claimant has withdrawn his claim.

794. If a person comes forward to present a claim disputing a claim which has already been submitted by another person and then

decides that he will not dispute it, or if a person has made anything in the nature of a complaint and then decides that he will not submit a formal claim, the A.S.O. will request him to sign a statement to the effect that he has no claim to make in respect of the parcel, or original claim, in question. The statement will be made by such person on the back of the Memorandum of Claim Form of the original claim concerned and his signature thereon will be witnessed by the A.S.O. and a member of the Village Settlement Committee and the A.S.O. will draw attention to this statement in Part C.1 of the original claim Form, but see Instruction 795.

795. While the object of the action directed in Instruction 794 is to deter the person from changing his mind and submitting a counterclaim during a later stage of land settlement, this must not be construed to refuse a counterclaim from such a person if, notwithstanding, he decides later to submit a counterclaim and submits it in due time.

796. If a claim to ownership of a parcel is disputed, the A.S.O. will direct the Village Settlement Committee to value the land which is in dispute and to submit a written estimate of the value. The A.S.O. will endorse on the statement the block and parcel No. (..../....) of the disputed parcel and attach the statement to the Memorandum of Claim of the parcel.

797. If a person submits a claim or disputes a claim to a parcel on the grounds that he purchased the land from the registered owner or from a person who has succeeded by inheritance from the registered owner and the sale is repudiated by the person from whom the purchaser states that he bought the land, the A.S.O. will direct the alleged purchaser to give as an additional statement in Part B.13 of his Memorandum of Claim or Counterclaim the date and particulars of the transaction, and to submit the deed of purchase if there is one or to state the full names and addresses of any witnesses if no formal deed of purchase was drawn up and signed by the parties. If a deed of purchase is submitted by the alleged purchaser the A.S.O. will endorse on it the block/parcel Number (..../....) concerned and will attach it to the Memorandum of Claim of such purchaser.

Arbitration.

801. The A.S.O. may on behalf of the Settlement Officer refer a dispute to arbitration if the parties to the dispute sign a formal submission to arbitration. The A.S.O. will ensure that the rights in dispute are set forth explicitly in the submission to arbitration and that the awards are also explicit. The formal submission to arbitration and the award will be sent immediately to the Settlement Officer for authentication.

802. The submission to arbitration referred in in Instruction 801 should be in the following form:-

We the undersignedon the one part and.....on the other part hereby formally submit to arbitration the dispute existing between us regarding

We appoint the following person(s) as arbitrator(s):-

(Where an even number of arbitrators are appointed)

We agree that in the event of disagreement between the arbitrators, that they shall appoint an umpire by agreement; and that if they fail to agree on an umpire, the Settlement Officer shall appoint an umpire.

We also bind ourselves to accept the award of arbitration as a final settlement of our aforesaid dispute.

803. For Stamp Duty on arbitration documents See Instruction 613.

Land not claimed at Settlement.

806. If a person who is reputed to own land is absent and has made no claim therefor, neither has anybody done so on his behalf, the A.S.O. should request the Village Settlement Committee, if they can satisfactorily do so, to submit a claim on his behalf and represent his interests throughout the settlement operations.

807. In the case referred to in Instruction 806, if the Village Settlement Committee are not able to submit the claim, the A.S.O. will himself prepare a Memorandum of Claim for the parcel, will enter in Part B.1 in English the words "Reputed Owner" followed by the name of the person who is reputed to own the land, in Part B.2 what appears to the A.S.O. to be the category of the land, in Part B.3 the nature of the right, in Part B.7 a description of the parcel and its boundaries, in Part B.8, the words "stated by the Director of Surveys to be.....", and in Part B.9, any servitudes which are reputed to affect the parcel, adding after the servitude the word "reputed". The A.S.O. will leave in blank Parts B.14 and 15 but will enter in Part C.1 a note of the information which he has been able to obtain in respect of the parcel, the source of his information and any observations which he is of opinion would assist the Settlement Officer to decide the ownership of the parcel.

808. If a person reputed to own land attends at the field inspection of a parcel but neglects to come forward at the proper time to complete and sign a Memorandum of Claim, the A.S.O. will (Form CL/59) send him an order to attend and submit his claim.

809. In the case referred to in Instruction 808, if the person fails to attend when summoned, or if his address is not known and the order to attend cannot be sent to him, the A.S.O. will himself complete a Memorandum of Claim for the parcel in the manner directed in Instruction 807.

810. If any person for whom the A.S.O. has filled up a Memorandum of Claim Form (Instructions 807 and 809) subsequently presents himself, the A.S.O. will cause him to submit a Memorandum of Claim in the manner in which he would have been required to do if he had appeared at the proper time. The A.S.O. will attach such claim to the Memorandum of Claim Form which he himself has filled up and make the necessary cross references on both Forms.

811. Normally the limits of an unclaimed parcel will have been defined when the claimants of the adjacent parcels demarcate the boundaries of those parcels, but if it should occur that any of the boundaries of an unclaimed parcel require to be demarcated on the ground, the A.S.O. will call upon the Village Settlement Committee or any relatives in the village of the reputed owner to demarcate such boundaries. But if because of the expenditure involved they will not demarcate such limits the A.S.O. will report the matter to the Settlement Officer, Central Settlement Office, who will request the Director of Surveys to cause the demarcation to be made in due course by the revising surveyor and will enter the cost in the Schedule of Rights as a charge against the parcel.

Transactions in the Land Registry
on grounds of urgency.

816. The A.S.O. will note that the Existing Register is closed to transactions only in respect of registration blocks or Masha' Qita's for which Schedules of Claims have been published or in respect of registration blocks which may be included in a notice of the Settlement Officer issued under Section 12 of the Land Settlement Ordinance, 1930.

817. The A.S.O. will not accept any application for the registration of a transaction in the Existing Register, but will refer the applicant to the Land Registrar if the Schedule of Claims has not yet been posted for the block or the Masha' Qita' in which the land is situated to which the application refers, or refer the applicant to the Settlement Officer, Central Office, if the Schedule of Claims has already been posted for that block or Masha' Qita'.

818. If the A.S.O. is still in the village when an application for registration on grounds of urgency is presented to the Settlement Officer, Central Office, the Settlement Officer, before approving it, will ascertain from the A.S.O. if the Schedule of Claims for the block concerned has been posted and if it has been posted whether the land which is the subject of the application has been counterclaimed or the A.S.O. is of opinion that it will be counterclaimed, and in any event if he knows of any reason why the application should be refused.

819. The A.S.O. will note that the Existing Register means only the Government Register of Title and does not include the village Unofficial Land Book.

Roads.

821. The A.S.O. will note that roads may be:

- (i) Government scheduled roads;
- (ii) Inter-village roads;
- (iii) Village roads, required for the purpose of the village and not necessarily communicating with an adjoining village; and
- (iv) Private roads.

The category of the first three is in every case Matruka, while the category of the fourth (private roads) is the same as the surrounding land.

822. The A.S.O. will note that the alignment of Government scheduled roads is made by the District Engineer and is surveyed by the Department of Surveys in accordance with his requirements and that at Land Settlement no re-alignment of such roads may be made by them or by him or be recorded by him.

823. If a Government scheduled road which has been aligned and surveyed as running through developed land, such as an Orange grove, has not already been constructed and the owner of the developed land does not admit the Government claim to the road as aligned but is willing to admit the claim to the road if it is re-aligned to run through his undeveloped land, the A.S.O. will submit to the Settlement Officer, Central Office, the suggestion to re-align the road accompanied by a sketch indicating the actual and the proposed alignments for submission to the District Engineer. (But see Instruction 831).

824. The portion of an inter-village road which runs through the lands of the village should be claimed by the Village Settlement Committee and recorded by the A.S.O. in the Schedule of Claims in the name of the High Commissioner for the time being on behalf of the Government of Palestine. (See also Instruction 830).

825. A village road, i.e. a road which provides access to lands but is not primarily a communication road between two or more village,

should be claimed by the Village Settlement Committee and recorded by the A.S.O. in the Schedule of Claims in the name of "the Mukhtars (or Local Council) for the time being on behalf of the village of....." (See also Instruction 830).

826. Private roads must be claimed by the persons who claim to own them in exactly the same manner as other privately owned parcels of land and they are subject to rights of way, charges etc. in the same manner as are other privately owned parcels.

827. If a private road serves a number of parcels, the A.S.O. will suggest to the co-owners of the road to declare it a village road, drawing their attention to the fact that where the private road serves a large number of parcels, each parcel owner's share in the road would be very small, the fees on the initial registration and on subsequent mutations would possibly be more than each co-owner's share is worth and the registration of mutations would be laborious and present difficulties to the co-owners.

828. In the case referred to in Instruction 827, if the co-owners of a private road agree that it should be declared a village road, the A.S.O. will cause the road to be claimed by the Village Settlement Committee who should enter in the fourth column of Part B.4 of their Memorandum of Claim "by gift from the owners of parcels/.....,/..... abutting thereon", and each owner of a parcel concerned should show in Part B.7 the relevant boundary as "public road". The A.S.O. will then record the road in the Schedule of Claims in the name of "the Mukhtars (or Local Council) for the time being on behalf of the village of....."

829. If a private road serves only one parcel and can conveniently be braced with that parcel so as to record the parcel with the road serving it as one parcel and the owner agrees, the A.S.O. will brace the road on the block plan to the parcel and describe the whole parcel as "Arable land (or otherwise as the case may be) and private road".

830. The A.S.O. will cause only one Memorandum of Claim Form to be submitted by the Village Settlement Committee for all inter-village roads in a registration block, and one Memorandum of Claim Form for all village roads and village open spaces (Instruction 837) in a registration block but each such parcel in the block must be separately described in Part B.7 of the Memorandum of Claim and its parcel number quoted.

831. The A.S.O. will note that, in reference to new scheduled roads or to the widening or alignment of scheduled roads under the Width and Alignment of Roads Ordinance, 1926 if effect has not been given to an Order by the High Commissioner by the time of the issue of the notice of settlement, or if the order of the High Commissioner is made after the issue of that notice, the order will not be acted on during settlement proceedings, and similarly in reference to new village roads or the widening of existing village roads by order of a District Commissioner.

Village Open Spaces.

836. Village open spaces which are public spaces belonging to the village should be claimed by the Village Settlement Committee and recorded by the A.S.O. in the Schedule of Claims in the name of "the Mukhtars (or Local Council) for the time being on behalf of the village of...."

837. The A.S.O. will cause only one Memorandum of Claim Form to be submitted by the Village Settlement Committee for all village public spaces and village roads in a registration block (Instruction 830) but each such parcel in the block must be separately described in Part B.7 of the Memorandum of Claim and its parcel number quoted.

Cemeteries, Places of Worship
and Shrines.

840. The A.S.O. will note that if a cemetery has been registered as such or has been constituted a cemetery by virtue of a legal instrument, i.e. Firman, Hijja, etc., the proprietorship will be recorded in Part B.1 and the category of the land of the cemetery in Part B.2 as indicated in the Land Register if it is registered or as indicated in the Firman or Hijja if it has been legally constituted as a cemetery but not registered as such.

841. If a cemetery is on mulk land (see also Instruction 404) and has not been registered as a cemetery nor constituted a cemetery by virtue of a legal instrument (Instruction 840), the A.S.O. will cause it to be claimed as mulk land and described as such in Part B.7 with the addition of the words "Moslem (or Jewish or Christian) Cemetery" and in the case of a non-Moslem cemetery stating the particular sect or community, e.g.:

- (a) "Eastern Orthodox Christian Cemetery".
- (b) "Roman Catholic Cemetery".
- (c) "Greek Catholic Cemetery".

The A.S.O. will record it in the same manner in the Schedule of Claims. He will also inform the claimants that if they desire it to be declared Waqf Sahih, they should apply to the Moslem Shari'a Court in the case of a Moslem cemetery or to the legally constituted Religious Authority of the community in the case of a non-Moslem cemetery and will enter a note in Part C.1 that he has so informed the claimants.

842. If a cemetery is on miri or miri mauqufa land and has not been registered as a cemetery nor constituted a cemetery by virtue of a legal instrument (Instruction 840), the A.S.O. will cause it to be claimed as miri or miri mauqufa land and described as such in Part B.7 with the addition of the words "Moslem (or Jewish or Christian) Cemetery" and in the case of a non-Moslem cemetery stating the particular sect or community, e.g.:-

- (a) "Eastern Orthodox Christian Cemetery".
- (b) "Roman Catholic Cemetery".
- (c) "Greek Catholic Cemetery".

The A.S.O. will cause it to be recorded in the same manner in the Schedule of Claims. He will also inform the claimants that if they desire it to be declared Waqf Sahih, they should apply for such change of category under the provisions of the Palestine (Amendment) Order-in-Council, 1933 (See Palestine Gazette 349 of 16th March, 1933).

843. In the cases described in Instructions 841 and 842, if the claimants insist on claiming it as Waqf Sahih, the A.S.O. will note in Part C.1 the correct category of the land adding the words "used as Moslem (Jewish, Christian) Cemetery" and in the case of a non-Moslem cemetery adding the particular sect or community, e.g.:-

- (a) "Eastern Orthodox Christian Cemetery".
- (b) "Roman Catholic Cemetery".
- (c) "Greek Catholic Cemetery".

The A.S.O. will immediately inform the Settlement Officer, Central Office, the particulars of the claim so that the Attorney General may be asked to state if the category as claimed by the claimants will be contested.

844. If a cemetery is on land which is apparently of the Mawat category, the A.S.O. will immediately inform the Settlement Officer, Central Office, so that the Director of Lands may be asked if Government will contest the ownership claim or will claim Badl Misl on the land.

845. The A.S.O. will note that the directions in Instructions 840 to 844 apply equally to mosques, synagogues, churches and shrines.

846. In the case of Moslem Cemeteries, Mosques and Shrines which have not been registered or legally constituted as such (see Instruction 840) the proprietorship should be recorded in Part B.1 as follows:-

"The Supreme Moslem Sheri's Council as Administrators of the Moslem Cemeteries (Mosques, Shrines - as the case may be) in the village of....." (See also Instruction 762).

847. If a non-Moslem cemetery, synagogue, church, or shrine, is claimed by an Institution, Society or other Organization whose constitution or Articles of Association empower it to own land, the proprietorship will be recorded in Part B.1 in the name of the Organization. See also Instructions 386 to 390.

848. If a non-Moslem cemetery, synagogue, church or shrine is not claimed by an Organization which is authorised to own land but is claimed by the Mukhtars or Local Council on behalf of the village, the A.S.O. will record the proprietorship in the Schedule of Claims as follows:-

"The Mukhtars (or Local Council) for the time being on behalf of the village of.....and in trust for the common purposes of the village".

849. The A.S.O. will find that War Cemeteries have been registered as Mulk in the Existing Register, will enter such a cemetery as of Mulk category in the Memorandum of Claim prepared by him for the cemetery (Instructions 807 and 809) and will enter it in Part B.1 of the Memorandum of Claim and record it in the Schedule of Claims in the name of the "Imperial War Graves Commission".

850. If an antiquity site is used as a cemetery and is claimed as such, the A.S.O. will follow the directions in Instructions 840 to 844 unless the ownership of the site is disputed by Government on the grounds that it has been scheduled as a Government antiquity site, in which case it will be dealt with as under the General Section of Conflicting Claims (Instructions 786 to 797).

Elimination of parcels and shares below
the prescribed registrable minimum.

851. The A.S.O. will carry out the elimination of parcels or shares which are incapable of registration under an Order of the High Commissioner prescribing the minimum area of a parcel, or the area equivalent of a share, which may be registered.

852. The A.S.O. may carry out elimination of parcels by combining parcels which are adjacent to each other and are both smaller in extent than the minimum prescribed, or by combining parcels subject to elimination with adjacent parcels the area of which is above the prescribed minimum.

853. The A.S.O. may carry out elimination of shares by combining shares the equivalent area of each of which is below the prescribed minimum, or by combining a share which is subject to elimination with a share the equivalent area of which is above the prescribed minimum.

854. The A.S.O. will not carry out the elimination of any parcel or share of which the ownership is in dispute but will prepare the Elimination Form (CL/83) and state his recommendations thereon so that the parcel or share may be eliminated when the dispute is decided by the Settlement Officer.

855. The A.S.O. will suggest to persons who claim parcels or shares which are below the registrable minimum and to the persons in whose favour those are to be eliminated, the advantage of an amicable agreement by them as to the early payment or other mutually satisfactory arrangement in respect of the payment of compensation for the eliminated parcels or shares. If there is no amicable arrangement and the compensation is not paid at the time of the elimination, the amount would have to be entered in the Schedule of Rights as a charge on the parcel or share of the person acquiring it and then both parties would have to proceed to the Land Registry to acknowledge payment and release the charge before any further disposition could be registered.

856. If the compensation for an eliminated parcel or share is paid or other arrangement made which is satisfactory to the claimant to whom the compensation is payable, the A.S.O. will cause the procedure of renunciation of the parcel or share to be carried out (Instructions 636/637 et seq) and will refer to this in the Elimination

Form (CL/83). If the claimant does not wish to carry out a formal renunciation the A.S.O. will cause him to submit a statement to the effect that "(his share in) parcel No.... having been eliminated in favour of.....he does not desire the compensation to be entered as a charge in his favour on the parcel of..... as he has made direct arrangements with the said.....for the payment of the compensation due to him". The A.S.O. will witness the signature and attach the statement to the Elimination Form and refer to the statement in his recommendations.

857. If the whole of a parcel is eliminated, the A.S.O. will endorse the Memorandum of Claim for the parcel "Eliminated and combined with parcel No....vide proceedings attached", will attach that Memorandum of Claim and the Elimination Form to the Memorandum of Claim of the person who acquires the eliminated parcel and will enter a note of the elimination of the ~~px~~ sub-minima parcel in Part C.1 of this person's Memorandum of Claim. If a share only is eliminated, the A.S.O. will enter a note of this in Part C.1 of the Memorandum of Claim concerned.

858. Except in cases where there is complete agreement between co-owners to renounce shares in parcels, the A.S.O. will cause owners of sub-minima shares and parcels to submit Memoranda of Claims in order that the manner of acquisition of the shares and parcels may be recorded, certified and examined.

859. If elimination proceedings are to be made, the A.S.O. will record on the Form (CL/83) the steps which he has taken to carry out the elimination, will appoint two or more members of the Village Settlement Committee or other responsible persons to estimate the value of the land, will enter their names and their estimate of the value in the appropriate place in the Form and complete the Form in all other respects.

860. The A.S.O. will carefully note the provisions of the Order of the High Commissioner prescribing the registrable minimum parcels or shares for the village in which settlement is proceeding and will strictly comply with those provisions.

861. If it is at all possible the A.S.O. should arrange for an exchange of land or shares to be made instead of payment of compensation and if this has been arranged he will give effect to the exchange in simple cases by the

entry of the necessary particulars on the Elimination Form (CL/83). But where the arrangements are complicated and several exchanges are involved, the A.S.O. will draw up a statement of the arrangements and his recommendations and attach it to the Elimination Form or, if parcels in different registration blocks are affected, file the statement in the general documents file and refer to it in the proceedings in the Form (CL/83).

862. If the width of a parcel is less but the area of the parcel is greater than the registrable minimum prescribed, the elimination order would be satisfactorily complied with if the owner of the parcel below the necessary width and the owner of the adjoining parcel mutually agreed to re-align the parcels by amending the shape of their parcels i.e. by curtailing the length of the narrow parcel and increasing its width to not less than the registrable minimum.

863. In the case described in Instruction 862, the A.S.O. will measure the re-aligned parcels and amend the block plan; but if the parties concerned are unable themselves to make the re-alignment of the parcels, the A.S.O. will sketch the proposed re-arrangement of the parcels on the block plan adding at the side an explanation of what is required (See Instruction 277) and the re-arrangement will then be made in due course by the Department of Surveys.

864. The A.S.O. will cause parcels to be described as vegetable plots, building sites, threshing floors etc., only if they are so in fact and will not allow them to be so described merely in order to enable them to be registrable under the terms of the Order prescribing registrable minima.

865. If a claimant describes his parcel as a vegetable plot, building site, threshing floor and the A.S.O. is satisfied that the description is not correct and is not made to evade the terms of the Minima Order, he will carry out the elimination procedure and will state in Part C.1 of the respective Memorandum of Claim his reasons for so doing in order to assist the Settlement Officer to decide on the matter.

866. In an extraordinary case where parcels are below the registrable minimum but cannot be eliminated because no privately owned land adjoins them and therefore no compensation could be awarded, the A.S.O. will report the facts to the Settlement Officer, Central Office, and will postpone further action in respect of the elimination of such parcels.

Settlement of Village Sites under Section 27A of the Land Settlement Ordinance.

876. In the case of the village site which is settled under the provisions of Section 27A and proviso to Section 30 (See Instructions 74 to 80), the A.S.O., together with the members of the Village Settlement Committee resident in the village, will check the list of reputed owners and the parcels on the plan prepared by the Director of Surveys (See Instructions 76/77) and will obtain from the Village Settlement Committee a signed statement on the schedule that they are in agreement with the list. If they are not in agreement with the list or if the list is in need of revision, a separate declaration clearly setting forth the changes will be made and signed by the Village Settlement Committee.

877. The A.S.O. will then compile the Schedule of Sites and Buildings (CL/77), stating in the second column in the case of a parcel which belonged to a person who is now deceased "Reputed owners.....the heirs of.....deceased", and under the heading "Description of Parcel" giving a brief description of the parcels (See Instructions 466/467), and will then post the Schedule in the same way as a Schedule of Claims.

888. If the ownership of a parcel or the boundary of a parcel is disputed, the A.S.O. will cause the claimant of the parcel to submit a Memorandum of Claim and to fill in all the headings in Part 'B' and submit all supporting documents as in the case of a claim to a parcel in the lands of the village and will himself fill in Parts A and C of the Memorandum of Claim.

Re-alignment of Boundaries.

891. If the boundaries between parcels are irregular and the A.S.O. is of opinion that they make cultivation difficult, or if he is of opinion that property abutting on a public road should be re-aligned, he will make a croquis indicating the changes which he thinks should be made, write a brief report on the changes suggested referring in the report to the serial number(s) of the Memorandum/a of Claim(s) and the registration block and parcel number(s) concerned, and attach the croquis and report to the file of the village.

Grouping of Parcels.

896. If the owners of a number of parcels submit an application under Section 22(3) of the Land Settlement Ordinance for the grouping of the parcels the A.S.O. will direct them to make the re-arrangement of the parcels on the ground, or, if they are unable to do this themselves and desire it to be made for them by the Settlement Officer, he will direct them to submit a signed agreement setting out in detail exactly how the re-arrangement of their parcels is desired, and in either case will proceed further as directed in Instructions 503 et seq for partition among co-owners.

897. If the applicants cannot agree as to the re-arrangement of the parcels or if any of the owners concerned object to the re-grouping the A.S.O. will report this to the Settlement Officer, Central Office, and no further action will be taken by the Settlement Staff.

Masha' land held in indefinite shares.

901. Where there is Masha' land in the village which is held in indefinite shares (joint customary tenure), the A.S.O. will examine the boundaries of such land on the ground and will mark on the block plan any boundary which is disputed in the same manner as for Mafruz registration blocks.

902. The A.S.O. will not accept any individual Memoranda of Claims for such Masha' nor carry out any preliminary investigation in the Masha' other than to examine the boundaries (See Instruction 901) and to ascertain the exact nature of the Masha' tenure in that village. He will however obtain a Memorandum of Claim from the Village Settlement Committee and a written and sworn declaration from the members of the Committee stating what lands they claim as subject to the local customary tenure and a detailed description by them of the nature of that tenure. If any individuals dispute the existence of this tenure or its application to any part of the land so claimed by the Village Settlement Committee, then the A.S.O. will obtain the usual Memoranda of Claims, except that where the land is also claimed as ordinary Masha' by a great number of claimants a sworn declaration should be signed by the claimants or as many of them as possible showing the lands so claimed, the persons (and shares) entitled to claim therein etc. He will file the sworn statements in the general documents file of the village.

903. The A.S.O. will write a report on the customary tenure of the Masha', will state the provisional numbers of the parcels of which the land is of such Masha' and the numbers of the registration blocks in which the parcels are situated, will file the report in the file of the village, and will note on the back of the block plans the numbers of the Masha' parcels and add the customary tenure, i.e. "Parcels
.... customary Masha' tenure, all males (or all the inhabitants, etc.)"

904. If there are Mafruz parcels in registration blocks of such Masha', the A.S.O. will cause claimants to Mafruz parcels situated in the registration blocks to submit Memoranda of Claims and will proceed as in general Mafruz land in respect of those claims.

Schedules of Claims.

911. When all the Memoranda of Claims have been submitted for all the parcels in a registration block or all the shares in a Masha' Qita' and duly completed in Parts 'A', 'B', and 'C', the A.S.O. will compile the Schedule of Claims for the block (Form CL/34) or for the Masha' Qita' (CL/35) and date and sign the Schedules adding "for Settlement OfficerArea".

912. The A.S.O. will compile the schedules in Arabic and/or Hebrew according to the language of the village and will write also in English the names of the District, Sub-District, village, name of block and No. of block at the head of the schedule.

913. The schedule will be written in indelible pencil in triplicate using carbon sheets for the copies.

914. The A.S.O. will ensure that all the claims in the block or Masha' Qita' are entered in the schedule; that the writing on the schedule is neat and legible and that all the claims are correctly entered in the Schedule, and will refer conflicting claims to each other in the appropriate column.

915. The A.S.O. will check all the particulars in the Schedule with the Memoranda of Claims of all the parcels in the block and with the block plan, or of all the shares in the Masha' Qita'.

916. If during the checking of the Schedule, any particulars in the schedule must be corrected, the A.S.O. will make the correction neatly and legibly and initial the correction. If many corrections are made in the Schedule, he will re-write the page.

917. On the day that he signs the Schedule of Claims, the A.S.O. will

(a) post one copy of the schedule in his office;

(b) transmit one copy to the District Officer of the Sub-District in which the village is situated and one copy to the Settlement Officer of the area; and

- (c) write to the Settlement Officer, Central Office, notifying him the date of posting of the Schedule in his office and that he has despatched copies of the schedule to the District Officer and Area Settlement Officer concerned.

After the period of posting of the Schedule of Claims in his office, the Settlement Officer of the Area will send his copy to the Settlement Officer, Central Office.

918. On the day that he posts the Schedule of Claims in his office, the A.S.O. will notify the village by public notice posted in the village that the Schedule of Claims for registration block(s) No.(s).....or for Masha' Qita'(s)..... has/have been posted in his office.

919. If his office is not in the village or in the lands of the village, the A.S.O. will cause the Schedule of Claims to be posted in the village and will notify the posting as directed in Instruction 918.

920. On completion of his work in the village, the A.S.O. will, before leaving the village, deliver to the Mukhtar the copies of the Schedules of Claims that have been posted in his office and, in respect of the Schedules that have already been posted in his office for the prescribed period, i.e. 15 days or longer, deliver those Schedules to the Mukhtar and instruct him that they must be made available for reference to any person who may wish to see them. In respect of Schedules that have been posted in his office for less than 15 days, the A.S.O. will deliver them also to the Mukhtar and instruct him to post them in the village for a further period of.....days. The A.S.O. will also notify the village as directed in Instruction 918 stating that Schedules of Claims for registration blocks..... will be with the Mukhtar and will be available for reference and Schedules of Claims for registration blocks.....have been posted.

921. The A.S.O. will not postpone the compilation of a Schedule until a number of blocks have been completed but he will compile the Schedule of each registration block and post it immediately the work in that block is completed. He will however note that the work in a block will not be considered complete until

elimination has been made in respect of undisputed sub-minimum parcels or shares in the block.

922. The A.S.O. will note that he has authority under Section 26 of the Land Settlement Ordinance to add additional claims to the Schedule of Claims.

923. If additional claims are submitted to the A.S.O. while he is still in the village in a registration block for which he has already posted a Schedule of Claims, he will publish the receipt of the claim on Form CL/54 in the same manner as the original schedule was published but will not notify such publication to the Settlement Officer, Central Office.

Action on completion of the Preliminary Investigation in a village.

931. Before leaving the village, the A.S.O. will issue a Notice (Form CL/53) notifying the date of his departure and stating that applications for additional claims which persons may desire to be added to the schedule must be made to the Settlement Officer, Central Settlement Office, at P.O.Box (595), Jaffa.

932. On completion of his work in the village, or in a group of registration blocks, the A.S.O. will transmit the Memoranda of Claims, the provisional registration block plans, the general documents files etc. and his reports for the blocks or Qita's to the Settlement Officer, Central Office.

933. If the A.S.O. has not completed his work in the village but has completed a group of registration blocks and documents which are in support of claims in such blocks concern also claims in other blocks which have not yet been completed, he will retain such documents until he has completed his work in the blocks with which such documents are concerned.

934. The A.S.O. will forward to the Settlement Officer, Central Office, a list in duplicate with the documents referred to in Instructions 932 and 933 in which he will state particulars of the files and documents which he transmits to the Central Office, and also the serial number of the last Memorandum of Claim which has been recorded, in order that the list and documents may be checked in the Central Office and acknowledgment of receipt made to him with one copy of the list.

935. On completion of all his work in the village, the A.S.O. will destroy by burning all expired notices that have been posted in his office.

CHECKING OF MEMORANDA OF CLAIMS AND SUPPORTING DOCUMENTS, FINAL INVESTIGATION OF UNDISPUTED CLAIMS AND COMPILATION OF SCHEDULES OF RIGHTS AND SCHEDULES OF PARTITION.

Responsibilities etc. of Settlement Officers.

951. All the work in the Central Office is on behalf of the Area Settlement Officers and is subject to the immediate direction and control of the Settlement Officer, Central Office. If the Settlement Officer, Central Office is in doubt as to any legal requirement or legal procedure in the examination of a claim in a village, he will refer his difficulty to the Settlement Officer of the Area concerned. Nevertheless the settlement of undisputed claims is normally specifically delegated to the Settlement Officer, Central Office by order of the High Commissioner.

If the Settlement Officer, Central Office, is specially appointed an additional Settlement Officer for the settlement of disputed claims he will exercise that authority only as he may be directed administratively by the Commissioner of Lands.

952. In this section the Settlement Officer, Central Office, will be referred to as the Settlement Officer.

Religious Court Judges.

953. The work of the Land Settlement Qadi will be under the general control of the Settlement Officer who will arrange for him to proceed from village to village as required. Any Area Settlement Officer or A.S.O. requiring the Qadi's services will apply to the Settlement Officer.

954. (a) The Settlement Officer will inform the Commissioner of Lands if a special Religious Court Judge for a community is required in a particular village and if an additional Land Settlement Qadi is required.

(b) The Land Settlement Qadi will be appointed by the Supreme Moslem Council, and the Chief Rabbinate for Palestine is prepared to appoint

local Rebbis, if nominated by the Va'ad of a Jewish village, as the Jewish Religious Court Judge of the village.

A.S.O. Reconnaissance Report.

955. The Settlement Officer will forward to the Settlement Officer of the Area a copy of the A.S.O.'s reconnaissance report together with a copy of the village diagram.

956. If anything in the reconnaissance report calls for action, the Settlement Officer will inform the Settlement Officer of the Area what action he is taking or will ask for instructions if necessary.

Order Prescribing Minima.

961. The Settlement Officer will recommend to the Commissioner of Lands as soon as possible after receiving the A.S.O.'s report (see Insts. 209 and 210) the minima that should be prescribed for the village, and the Commissioner of Lands will arrange for the necessary Order to be published.

962. In addition to the cases referred to in Instruction 866, it may be found that it would be inequitable to apply the provisions of the Order in certain cases; e.g. a number of parcels forming a strip of land between a road and a railway may be useless for agricultural or other purposes, but under the Order one or other of the parcel owners would be forced to acquire the rest of the parcels by elimination proceedings and hardship would result by the strict application of the provisions of the Order. If there is no other way of dealing with the matter, the Settlement Officer will recommend to the Commissioner of Lands that the parcels in question should be excluded from the provisions of the Order.

963. If the ownership of a sub-minimum parcel is in dispute, the Settlement Officer will use his discretion whether to request the Settlement Officer of the Area to hear an urgent case or to proceed to enter the parcel in the Schedule of Rights, as may be more convenient for Land Settlement work and whether the hearing of the dispute would unduly delay the publication of the Schedule of Rights.

964. If a disputed sub-minimum parcel is entered in the Schedule of Rights, the Settlement Officer will make an observation against the entry that it is subject to elimination under the Order prescribing minima for the village after the disputed ownership has been settled.

965. If part of a claimant's share in a parcel is disputed and the equivalent area of the undisputed part is less than the registrable minimum, the Settlement Officer of the Area will not be requested to hear an urgent case but the whole of the share will be shown in the Schedule of Rights as being in dispute, the elimination being left to the Settlement Officer of the Area to carry out, if necessary, after he has decided the ownership of the part disputed.

Acceptance of Partition made prior to Settlement.

971. On receipt of an application from a Village Settlement Committee through the A.S.O. for the acceptance of a parcellation under Section 23 of the Land Settlement Ordinance (see Insts. 211-215), the Settlement Officer will consult with the Area Settlement Officer concerned if he is in doubt as to the advisability of accepting the parcellation and on the advice of that Officer will accept or refuse the application.

972. If the Settlement Officer is not in doubt and the acceptance of the partition is a matter of routine, the Settlement Officer will proceed to accept the partition without reference to the Settlement Officer of the Area.

973. Before issuing the notice of acceptance, the Settlement Officer will formally call upon the inhabitants to submit any objections to such acceptance. The following notice will be issued to each village concerned:-

To the inhabitants of.....village
and any other persons claiming
interests in the lands of that village.

Notice is hereby given that I have received an application from the members of the Village Settlement Committee of your village that I should approve the un-registered partition effected by the inhabitants of the village of the following localities situated within the boundaries of the village:-

Any person whose interests would be prejudiced by the acceptance of such partition should submit his objection in writing stating in full the grounds therefor, to the Settlement Officer at.....within fourteen days from the date of this notice.

Date:.....

Settlement Officer
.....Settlement Area.

./.

This notice will be published at the camp of the A.S.O. in the village, at the usual place for posting notices in the village, at the office of the District Officer and at the office of the Settlement Officer of the Area concerned.

974. The Settlement Officer will ensure before accepting a partition that there is no objection to its acceptance on any of the grounds mentioned in Instruction 207.

975. When the Settlement Officer has finally decided to accept the partition, he will issue a notice (CL/57) to that effect. Where the partition of only part of the former mashe' lands is accepted, owing to the remainder still remaining mashe' or for other reason, the Settlement Officer will, after consultation with the Settlement Officer of the Area where necessary, suitably amend the wording of the notice of acceptance.

976. If the land concerned was not formerly held or registered as mashe' but was held and registered in individual shares, but re-parcellations and sub-divisions have been carried out since the registration, the wording of the notice will be suitably amended to fit the facts.

977. The notice of acceptance of the partition will be distributed as follows:-

- 2 copies to the Settlement Officer of the Area, for information and posting.
- 1 copy to be posted at the Central Settlement Office.
- 1 copy to each member of the Village Settlement Committee.
- 1 copy to the Mukhtar of the village for posting in the village.
- 2 copies to the A.S.O. for posting in his office and for filing.
- 1 copy to the District Commissioner for posting in his office.
- 1 copy to the District Officer for posting in his office.
- 1 copy to the Land Registrar for posting in his office.
- 1 copy to the Land Court for posting.
- 1 copy to the Magistrate's Court for posting.
- 2 copies to the Commissioner of Lands.

978. The Commissioner of Lands will arrange for a copy of the notice to be published in the Gazette.

Villages with Unofficial Land
Books.

981. The meaning of Section 6(2) of the Land Settlement Ordinances, 1928-33, is that no new applications shall be accepted by the Director of Lands under the Correction of Land Registers Ordinance, 1926, for the correction of the existing registers in respect of lands situated in a village after a notification of settlement under Section 5 of the Principal Ordinance has been published in the village.

982. On receipt of the lists in subparagraphs (a) and (c) of Instruction 216 from the A.S.O., the Settlement Officer will issue the special notifications for publication in the Palestine Gazette, prescribed in the Regulations under the Correction of Land Registers Ordinance No.26 of 1926.

Village Settlement Committees.

986. If an application is received from a Village Settlement Committee for remuneration (see Section 13(3) of the Land Settlement Ordinance and Instruction 223), the Settlement Officer will forward the application to the Commissioner of Lands with his recommendation whether or not remuneration should be paid to the Committee and if he is of opinion that they should receive remuneration he will state against each name the amount recommended to be paid. The Settlement Officer will note that the intention was to provide for special cases only and he should not recommend the payment of remuneration where, in his opinion, the duties of the Committee are neither so numerous nor so onerous as to require being paid for.

Publication of Schedules of Claims,
and Closing of Existing Registers.

988. The Settlement Officer will notify the Commissioner of Lands when the first Schedule of Claims is posted in a village to enable a notification to be published in the Gazette.

989. The Settlement Officer will advise the Land Registrar of the Sub-District (with copy to the Director of Lands) whenever a Schedule of Claims in respect of parcels (Mafruz) or Shares (Masha') is published in the village stating the name of the village; the number of the registration block in Mafruz land and the name of the Qita' or locality in which the registration block is situated, or the name of the Qita' or locality in Masha' land, and remind the Registrar that the publication of the Schedule of Claims has the effect of closing the Existing Register in respect of the particular registration block of Mafruz, or Qita' or locality of Masha'.

990. If the Settlement Officer has special reason to require the closing of the Existing Register in respect of registration blocks or Masha' Qita's before the publication of the Schedule of Claims for the blocks or Qita's, he will consult the Area Settlement Officer concerned and on that officer's advice will inform the Commissioner of Lands and on the concurrence of the Commissioner of Lands will issue the special notice prescribed in Section 12 of the Land Settlement Ordinance 1930.

Closing of Existing Register.

992. On receipt of the Settlement Notice (Instruction 155), the Registrar will have applied to the Director of Surveys for a copy of the village map (See Instruction 93).

993. When a Schedule of Claims is published for a registration block or for a Masha' locality, the Settlement Officer will notify the Registrar the name of the village and the number of the registration block or the name of the Masha' locality to which the Schedule of Claims relates. See Instruction 989.

994. On receipt of the notification from the Settlement Officer referred to in Instruction 993, the Registrar will suitably mark on the village map against the registration block or Masha' locality to which the Schedule of Claims relates that the Existing Register is closed to transactions in respect of such block or locality.

995. If an application is made to the Registrar for the registration of a transaction in respect of land in a registration block or Masha' locality for which the Existing Register is closed, the Registrar will refer the applicant to the Settlement Officer.

Transactions in Land Registry after
the Closing of the Register.

996. If an application for an urgent registration is made to the Settlement Officer, the applicant will be requested to point out on the village diagram the location of the parcel which is the subject of the application. If he is unable to do so, he will be instructed to proceed to the village and ascertain from the A.S.O. the No. of the block in which the parcel is situated or the name of the Qita' of Masha'.

997. Applications for urgent registration will be referred to the A.S.O., if he is still in the village, under Instruction 818. If the A.S.O. has already handed in the village documents to the Central Office, the Settlement Officer will cause the claims to the parcel/in question to be examined to ascertain if there is any objection to the transaction due to disputes, orders of attachments having been issued, "barrani" mortgages having been presented, etc. etc.

998. The Settlement Officer will cause the applicant for the registration of a transaction on grounds of urgency to submit an application in triplicate stating therein the block/parcel number (..../....) of the parcel which is to be the subject of the transaction.

If the application is refused, the Settlement Officer will send one copy to the Land Registrar concerned, one copy to the A.S.O. concerned and will file one copy and inform the applicant in writing that his application cannot be approved.

999. If the application is approved, the Settlement Officer will send one copy to the A.S.O. concerned, will file one copy and will hand the third copy to the applicant and direct him to present it to the Land Registrar concerned and on completion of the transaction to submit to the Settlement Officer an extract of the Land Register.

1000. If the application is for the registration of a transaction in shares in a Masha' locality for which a Schedule of Rights to shares has been published, but the partition of the Masha' has not yet been made, the applicant will be informed that any authority for the urgent registration will only be given effect to if the shares which are the subject of the transaction are registered as such in the existing registers.

Application for registration on grounds of urgency.

1001. If an application is submitted to an Area Settlement Officer, he will ascertain from the Settlement Officer, Central Office, if the final examination of claims in the block concerned has been made and the Schedule of Decisions has been signed by the Settlement Officer, Central Office, or will at his discretion leave the application for the urgent registration to be dealt with by the Settlement Officer, Central Office.
1002. If the public final investigation of claims has been completed and the Schedule of Decisions has been signed, permission for the urgent registration will not be granted unless the publication of the Schedules of Rights is likely to be delayed on account of urgent disputes having to be decided, etc.
1003. If the public final examination of claims has not been made, the Area Settlement Officer or the Settlement Officer, Central Office, may grant permission for the urgent registration if he thinks right.
1004. If the Area Settlement Officer has granted permission for an urgent registration, he will forward to the Settlement Officer, Central Office a copy of the document of permission.
1005. If the permission refers to one parcel only, the document of permission will be endorsed with the serial number of the Memorandum of Claim of the parcel concerned and will be attached to that Memorandum of Claim.
1006. If the permission refers to more than one parcel, the document of permission will be endorsed with the serial numbers of all the Memoranda of Claims concerned and filed in the general documents file of the village.
1007. The particulars in the Memorandum of Claim which are affected by the urgent registration will be examined and notes made in the Memorandum of Claim as directed in Instruction 1043.
1008. If the urgent registration has not been completed and the Certificate of Registration has not been presented when the draft Schedule of Decisions is compiled, the relevant columns

of the draft Schedule of Decisions will be completed as though no application for the urgent registration of a transaction in respect of the parcel had been received but a note will be made in pencil on the Schedule that an urgent registration is pending.

1009. If the urgent registration is completed and the Certificate of Registration is presented, the relevant particulars in the draft Schedule of Decisions will be amended. The amendment will be initialled by the Settlement Officer. The Certificate will be filed as laid down in Instructions 1005 and 1006 and a reference to the document will be endorsed on the claim or claims concerned.

Handing over of village documents
by Assistant Settlement Officers.

1015. On receipt of the Schedules of Claims and documents in support of claims and other documents with the covering letter (in duplicate) from the Assistant Settlement Officer (see Instruction 934), a senior clerical officer will check the documents with the particulars in the covering letter.

1016. If all the documents stated in the covering letter have been duly received, an acknowledgment will be written on both copies of the covering letter, of which one copy will be returned to the A.S.O. and the other copy filed in the office.

1017. If the documents received are not as stated in the covering letter, a query sheet (CL/79) will immediately be prepared, in triplicate, detailing the documents enumerated in the covering letter which have not been received and any other discrepancies.

1018. Two copies of the query sheet will be sent immediately to the A.S.O. and the third copy attached to the covering letter which will be endorsed "Documents not all received, discrepancies as detailed in attached query sheet".

Acceptance of Counterclaims in the Central Office.

1021. On receipt of the Memoranda of Claims and counterclaims and supporting documents etc. for a village, a file jacket will be opened entitled "Additional Claims and Counterclaims submitted after completion of preliminary field investigation by Assistant Settlement Officer" and a form (see Instruction 1022 inserted therein endorsed with the serial number of the last claim recorded by the A.S.O.

1022. The form will be ruled in columns headed horizontally:-

Claim Number.

Date received.

Names of additional claimants.

Names of counterclaimants.

Parcels (provisional Nos) counter-claimed.

Acceptance of claim or counterclaim approved by Settlement Officer.

Remarks.

1023. A claim which is submitted to the Central Office after the A.S.O. has left the village must be completed in Form CL/32. The Form will be endorsed by the officer dealing with claims on top of page 1 "Counterclaim to Memorandum of Claims Serial No...." and will be examined and checked.

1024. A counterclaim which is submitted to the Central Office after the Assistant Settlement Officer has left the village must be completed on Form CL/32 endorsed on top of page 1 "Counter-claim to Memorandum of Claim Serial No...." and will be examined. The parcel numbers of the (original) Memorandum of Claim must be clearly indicated on the counterclaim and the right in the (original) Memorandum of Claim which is counterclaimed must be clearly described in the counterclaim.

1025. If a counterclaimant requires particulars of a claim for the purpose of counterclaiming, he will be referred to the Schedules of Claims for the village which are posted in the village or are with the Mukhtar and available for reference (Instruction 920), from which he may copy any

entries he desires to enable him to complete his Memorandum of Counterclaim.

1026. An additional claim or a counterclaim will be accepted only if it is fully and legibly completed and has been dated and signed by the counterclaimant on oath before the Settlement Officer, Central Office and the right which is disputed is clearly set out in the counterclaim.

1027. Every person who submits a claim or a counterclaim after the expiration of the period of the posting of the Schedule of Claims for the block or Masha' locality in which is situated the right claimed will be informed that the admission of the claim or the counterclaim is subject to the approval of the Settlement Officer.

1028. When the Memorandum of Claim or Counterclaim duly completed and signed has been verified, the Counterclaim file (Instruction 1021) will be submitted to the Settlement Officer to obtain his approval for its admission.

1029. If the Settlement Officer approves the admission he will write his initials in the relevant column of the form in the file.

1030. The additional claim or counterclaim will then be published in accordance with Instruction 923.

1031. If the counterclaim is in respect of one (original) Memorandum of Claim, it will be attached to that Memorandum of Claim.

1032. If the counterclaim is in respect of rights in more than one (original) Memorandum of Claim it will be filed with the general village file of counterclaims in order of the serial No.

Examination of Claims.

General.

1036. The reconnaissance and other general or specific reports of the A.S.O., the advance partition report, if any has been made, and any other reports on the village, will be studied by the examining staff in order that they may be thoroughly familiar with the land tenure and general land circumstances in the village.

1037. The claims examination staff will also make themselves thoroughly acquainted with the Administrative Instructions, particularly with regard to the section dealing with the A.S.Os. work in the village.

1038. A claimant to land should not be admitted as owner and entered as such on the Schedule of Rights merely because his claim is not contested.

1039. The Memoranda of Claims and documents in support of claims will then be examined by the examining officers separately for each registration block or Masha' locality. The Examining Officers will each deal with the claims and documents for a complete block or Masha' locality.

1040. Before any other action, the examining officer will first compare the counterclaims to more than one parcel with the original claims to which they refer (See Instructions 788 to 790).

1041. The examining officer will ensure that each particular under any heading of the Memorandum of Claim which is the subject of a counterclaim has been duly marked in red in accordance with Instruction 694 that the number of the counterclaim has been correctly entered under Part C.1 of each original claim concerned and that all the original claims and the counterclaims have been duly endorsed as required by Instruction 789.

1042. If there is any doubt regarding the validity of a document supporting a claim or counterclaim, or the admission of a particular entered under the headings in Part 'B' of the Memorandum of Claim, the question will be referred to the Settlement Officer.

./.

1043. If as a result of any Settlement Officer's ruling, or if the Settlement Officer allows a renunciation or a mortgage during the examination of claims in the office, or if for any reason the particulars stated under the headings in a Memorandum of Claim or counterclaim, including any recommendation of the A.S.O., are amended, added to or varied, the examining officer will make a note in blue pencil neatly in the right-hand margin of the Memorandum of Claim against the item concerned "See obs." and will add an observation under those of the A.S.O. under Part C.1 of the Memorandum of Claim in accordance with Instruction 694.

1044. Where any item under Part 'B' of the Memorandum of Claim is not to be included as it stands in the draft schedule of decisions (Instruction 1127) owing to renunciations, etc., having been accepted, or for any other reasons mentioned under Part C.1 of the Memorandum of Claim, or if a Settlement Officer has given a ruling contrary to the A.S.O.'s recommendations under Part C.1 of the form as to the title to be granted, the examining officer will prepare an "examination slip", which he will attach to the Memorandum of Claim concerned, setting out how the item concerned is to be entered in the draft schedule of decisions. Each item on the Memorandum of Claim that is shown on the examination slip to be varied or amended will be underlined neatly in blue pencil to draw attention to the fact that it is not to be scheduled as it stands. The following examples are given for guidance:-

Examination Slip.

(1) B.1 - Final shares as follows:

Claimant No. 1	-	25
Claimant No. 2	-	17
Claimants Nos. 3-6 <u>omit</u>	-	-
Muhd. Hasan al Ghazzawi	-	10
<u>IN DISPUTE</u>	-	<u>8</u>
Total:		<u>60</u>

(2) B.1 - Shares to be as follows:

Claimant No. 5	-	10
Claimants Nos. 1-4 <u>omit</u>	-	-
Claimants Nos. 6-10 <u>as claimed.</u>	-	<u>as claimed.</u>
Total:		<u>as claimed.</u>

./.

(3) - Full name of claimant No.3 is:
Muhammad Mahmud Ibrahim Majdalawi
Rest - as claimed.

(4) B.2 - Category of land to be:
Miri.

(5) B.7 - Description of parcel to be as follows:
Partly Arable land and partly
land with trees planted after
1331 A.H.

(6) B.11 - Omit mortgage.

(7) C.3 - Shares and nature of right to be:

Proprietorship - 3 shares.

Possessory title running)
from 14.8.27 (previously { 2 shares.
registered in name of)
Hasan Sflim Musallam)

Total: 5

1045. If no particulars in a Memorandum of Claim or counterclaim are underlined in blue pencil as required by Instruction 1044 it will be understood that/~~no~~ examination of the Memorandum of Claim or counterclaim, the particulars as stated in the original Form were found to be in order and that the decision may be drafted without amendment direct from the Memorandum of Claim.

1046. On completion of the examination of a Memorandum of Claim or counterclaim and of the supporting documents, the examining officer will write his initials and the date in blue pencil at the bottom of page 3 of the Form and his initial thereon will be understood to indicate that the Memorandum of Claim or Counterclaim and all supporting documents have been examined and found in order, with the exception of the particulars underlined in blue pencil and noted on the examination slip.

Raising of Queries with Assistant
Settlement Officers.

1051. If any mistake is discovered, or if any document necessary for establishing a claim is not attached, or is not properly drawn up, or is not correctly stamped, if the A.S.O. is still in the village, a query sheet addressed to the A.S.O. will be prepared, in duplicate, for the signature of the Settlement Officer. One copy will be sent to the A.S.O. together with the documents which require to be corrected and the second copy placed in the village "query sheet" file.

1052. The senior clerk in the claims (examination) section will ensure that the query sheet is returned with the reply of the A.S.O., that mistakes have been corrected or explanations given, that the documents are returned in due order and that the entry under the relevant heading in the Memorandum of Claim has been duly marked and an observation made in accordance with Instruction 694, and where necessary that Instructions 359 to 361 have been complied with. The query sheet will be attached to the Memorandum of Claim to which it refers, or if it refers to a number of claims will be filed as a general document and cross-reference made on the claims and on the document.

1053. If the A.S.O. has left the village, the query sheet will, notwithstanding, be sent to him for action, or, at the discretion of the Settlement Officer, if another A.S.O. is working in a village adjacent to, or conveniently near the village under examination, the query sheet may be sent to that officer for action.

1054. If the A.S.O. has left the village and there is no A.S.O. working in the vicinity of the village under examination, a query sheet will not be sent separately for each discrepancy but query sheets will be prepared for all the discrepancies in the block or, if there are not many discrepancies in the Memoranda of Claims for the block, for the discrepancies in a number of blocks or for the discrepancies in all the blocks of the village, and sent together to the A.S.O.

1055. In the circumstances detailed in Instruction 1054, the Settlement Officer will decide if the A.S.O. is to proceed at once to the village under examination to clear up the discrepancies, or if he should do so later at a time when his temporary absence from the village in which he may happen to be working would not unduly interfere with his work there.

Part A of Memorandum of Claim Form.

1058. After the final Nos. of the parcel have been inserted on the block plan (Instruction 1121), the examining officer will enter them in the space provided in this part of the form.

Part B.1 - Shares.

1061. If the denominator of the fraction by which the shares resulting from an inheritance are expressed contains a large number of figures, and it is desirable to reduce it to a more manageable figure, the denominator will be reduced to a figure, not exceeding 1000 for parcels up to 10 dunums, 10,000 for parcels from 10 to 100 dunums and 100,000 for parcels of more than 100 dunums. The shares of the individual claimants will be found by multiplying each original share by the new denominator and dividing the product by the old denominator, the resulting quotients each being adjusted to a whole number, by adding or subtracting fractions, so that the shares will add up to the figure of the denominator.

1062. The new shares will be entered by the officer who computed them on an "examination slip" in accordance with Instruction 1044.

Part B.2 - Category.

1066. If the inhabitants of a village have allotted a parcel for the benefit of the village school, or the village guest house, or for other common purpose, the examining officer will ensure that the category of land of the parcel is the same as that of the surrounding village lands, i.e. miri or miri mauqufa, or possibly mulk (see Instruction 404). If any parcel that has been set aside for the common purposes of the village, with the exception of threshing floors, is claimed as m'truks, the claim will be referred to the Settlement Officer.

1067. In every case of a parcel being claimed as any kind of Waqf, the examining officer will refer the claim to the Settlement Officer for a ruling as to the correct category of the Waqf.

1068. If the parcel is stated to be Waqf and no claim for rights in the Waqf has been submitted by the Waqf Administration or by the Mutawalli of the Waqf, the examining officer will refer to the Settlement Officer who will take steps to have a formal claim submitted.

1069. If there is any doubt as to the rights in the Waqf as claimed by the Waqf Administration or the Mutawalli, the Settlement Officer will ascertain by letter from the District Revenue Officer whether he concurs in the Waqf Administration claim to tithes etc.

1070. If as result of a claim by the Waqf Administration or Mutawalli, or for other reason, the category of all the land in a registration block is disputed, the examining officer will not examine the claims for any of the parcels in the block until the dispute has been decided by the Area Settlement Officer.

Part B.4 - How Acquired.

1073. If a right in a parcel is claimed by inheritance, the examining officer will check the particulars in the claim with the certificate of inheritance and will ensure that the share of each heir is correctly entered under this heading, or that the share has been duly renounced by the heir, or that the heir has stated in an agreement of partition or has indicated in valid form, that he has duly received the equivalent of his share in another parcel, or in other parcels (describing them), in lieu of his share in the parcel which is the subject of the Memorandum of Claim under examination.

1074. If ownership of a parcel is claimed by prescription, the examining officer will ensure that the period of possession has been duly entered under this heading and that the period of possession as stated is not less than the period for which ownership by prescription is valid in law i.e.:

10 years for miri land;

15 years for mulk land;

15 years for miri land planted or built-on prior to 1331 A.H.

1075. If the claim is based in part by inheritance and in part by prescription against co-heirs, the examining officer will ensure that an additional statement has been made under Part B.13 in accordance with Instruction 654 and that Instruction 431 has also been complied with.

1076. If the claim is based on renunciations by persons purporting to be the rightful owners, the examining officer will ensure that all persons who had rights have renounced those rights in favour of the claimant, that all persons purporting to have renounced their rights have duly signed and dated the deed of renunciation, that their signatures have been duly witnessed and dated, that the deed has been endorsed by the District Revenue Officer to the effect that there is no objection to the renunciation, or that the name of the person renouncing does not

appear in the lists of outstanding Government taxation and agricultural loans, (Instruction 125) except as provided in Instruction 641.

1077. If the parcel has been allotted by the inhabitants of the village for a public purpose of the village as detailed in Instruction 1066, the examining officer will ensure that the method of acquisition for the purpose stated is duly entered under this heading.

Part B.5 - Registration.

1081. If a right claimed is stated to be based on a registration in the Existing Register, the claimant, except where he claims by prescription against the registered owner, must submit a Kushan or Certificate of Registration. The examining officer will examine the Kushan or Certificate of Registration submitted and ensure that it relates to the right claimed.

Part B.7 - Boundaries.

1083. If the Assistant Settlement Officer has suggested any changes in the alignment of two adjoining parcels, other than changes which have been concurred in by the claimants to the parcels, the examining officer will refer the suggested re-alignment and the croquis prepared by the A.S.O. to the Settlement Officer.

1084. If the Settlement Officer approves the re-alignment, the examining officer will indicate the new alignments on the provisional block plan in red and make a note on the plan as required by Instruction 281.

1085. The examining officer will compare the parcel as shown on the provisional block plan with the particulars in the Memorandum of Claim.

1086. If the particulars in the Memorandum of Claim do not agree with the parcel as shown on the block plan, the examining officer will refer to the Settlement Officer for instructions as to the action to be taken to make them agree.

Part B.9 - Other Rights.

1088. The examining officer will compare the particulars under this heading in the Memorandum of Claim with the provisional block plan to ensure that access to the parcel is provided by a road or path or right of way.

1089. If there is no access to a parcel, the examining officer will refer to the Settlement Officer for instructions as to providing a right of way as a servitude over other parcels.

1090. If a servitude is claimed by the claimant of a parcel over other parcels, the examining officer will ascertain if the servitude is admitted by the claimants of those parcels, by examination of their Memoranda of Claims.

1091. If the servitude is not admitted and is therefore in dispute and the A.S.O. has made no report on the matter as required by Instruction 488, the examining officer will prepare a query sheet for the A.S.O.

Part B.10 - Partition.

1093. If the claim is for a share in a parcel and the parcel has not been partitioned and the claimant has entered under this heading of the Form a desire for partition, the examining officer will refer the claim to the Settlement Officer for a ruling as to the procedure to be adopted.

1094. If an agreement for partition of a parcel has been come to, the examining officer will ensure that the document of agreement has been signed and dated by all the persons concerned and duly stamped and witnessed.

1095. For partition of Mesha', see Instructions 1236 to 1268.

Part B.11 - Charges.

1097. It follows from the Correction of Land Registers Ordinance, 1926, that entries made in village unofficial land books should be regarded as prima facie evidence of transactions. Mortgages so recorded should therefore be admitted for entry in the Schedules of Rights if they are not disputed and are otherwise in order.

1098. Unregistered and unrecorded deeds of mortgage, leases, etc. etc., if they are undisputed and are in order in all respects should also be admitted for entry in the Schedules of Rights.

1099. A sale made by the mortgagor of land without notifying the mortgagee is legally invalid and cannot operate to defeat the rights of the mortgagee if the mortgage is registered in the existing registers or recorded in the unofficial land books. If any sale of land so mortgaged is discovered during the examination of claims, the examining clerk will immediately bring the matter to the notice of the Settlement Officer.

1100. The Settlement Officer is not normally concerned with the conditions of the mortgage, but the examining clerk will note that no deed will be admitted which:-

- (a) purports to be a BEI' BIL WAFI, FARAGH BIL WAFI or similar transaction;
- (b) contains a clause granting right of immediate possession of the land to the mortgagee;
- (c) provides for payment of interest at a rate exceeding 9%;
- (d) contains any provision which is in conflict with the Law of Mortgage or other Law in force;
- (e) is not properly signed, dated and witnessed, or is not properly stamped if stamp duty is payable (See Instruction 613(e));
- (f) is not supported by an admission of the mortgage by the mortgagor under this heading of the Form.

1101. In the case of a lease, the examining officer will not admit an agreement of lease if

- (a) it is not dated, signed by the parties concerned and stamped as may be required under the Stamp Duty Ordinance;
- (b) it has not a clause stating the period of the lease and the amount of the rent; and/or
- (c) the lessor has not admitted the lease under this heading of the Form.

1102. In the case of the lease of a parcel, the examining officer will verify that the ownership of the parcel has been claimed by the lessor and, in the case of a sub-lease, that the ownership of the parcel has been claimed by the lessor of the first lease.

1103. In the case of the lease of a parcel on which the lessor has erected a building or has planted trees, the examining officer will verify that the ownership of the parcel and the building or the trees have been claimed by the lessor subject to the leasehold interest of the lessee. But he will note that possibly under the terms of the lease buildings and trees on a parcel may be the property of the lessee.

Part B.12 - Documents.

1106. The examining officer will ensure that the Land Settlement Religious Court Judge has endorsed the serial number of the certificate and the receipt number for the certificate fee on each Certificate of Succession issued by him.

1107. The examining officer will carefully examine powers of attorney and note the powers conferred on the attorney in each document.

1108. The examining officer will ensure that the document is properly completed and stamped, if stamping is required, and that the attorney has not taken any action on behalf of his principal for which the document does not grant him authority, such as:

(a) has claimed ownership of a parcel or has approved transfer of a parcel if he has power only to mortgage it, or to claim a mortgage on it;

(b) has claimed ownership of a number of parcels or has approved transfer of a number of parcels, if he has power only to claim or to transfer a specific parcel.

1109. The examining officer will note that an attorney may not purchase a parcel for himself which his power of attorney empowers him to sell or transfer on behalf of his principal.

1110. If an attorney has claimed ownership of a parcel in his own name on the ground of purchase or other grounds, or if he has transferred a parcel on the ground that he was the owner, in respect of which he was empowered only to act on behalf of his principal by virtue of a power of attorney, the examining officer will prepare a query sheet addressed to the A.S.O.

1111. The examining officer will note that the father of a minor as the natural guardian of his minor children may claim on

behalf of his children without formal authority from a court unless a formal guardian for the minor has been appointed by a competent Court.

1112. In every case where a parcel is claimed by any person on the ground of purchase from, or renunciation by, a guardian on behalf of his ward, i.e. where the rights of a minor or other person under legal disability is affected, the examining officer will refer to the Settlement Officer for instruction as to the admission of the claim.

1113. The examining officer will ensure that the registration block and final parcel numbers are endorsed on all the supporting documents of the claim relating to the parcel.

1114. If the A.S.O. has made a note under Part C.1 of the Memorandum of Claim that an original document of which a certified true copy has been submitted is required to be returned to the person who presents it (see Instruction 598), the examining clerk will bring the matter to the notice of the Settlement Officer.

1115. The Settlement Officer will consider whether the copy will be sufficient for Land Settlement purposes and if he decides that the original may be handed back he will obtain a receipt from the person receiving it on the back of the original receipt given by the A.S.O. for the document. The receipt will be withdrawn and filed with the copy of the document.

1116. If the certified true copy is to be handed back and the original retained, any fees that may be due on the copy will be collected before the document is handed out.

1117. If an application is received for a copy of a certificate of succession issued by the Land Settlement Qadi (see Instruction 599), the applicant will be informed the date and place where he may attend to receive the copy from the Qadi,

1118. If an application is received for a copy of any document other than a Land Registry Certificate of Registration or a Certificate of Succession, the Settlement Officer will arrange for the applicant to attend at the Central Office at a time and date convenient to the Settlement Officer and, on payment of the prescribed fee, will cause the copy to be made

and handed to the applicant; provided always that the document is one that the applicant is reasonably entitled to copy by reason of his having submitted it or being a party thereto, etc. Applications for copies of Schedules of Claims, of Rights, of Partition and other administrative documents will not be entertained.

1119. If an application is received for the return of a document which has already been transmitted to the Land Registrar, the applicant will be referred to Section 45 of the Land Settlement Ordinance.

Block Plans.

1121. When all the Memoranda of Claims for all the parcels in a registration block have been examined, the examining officer will re-number the parcels on both copies of the provisional block plan as final parcel numbers, if the provisional Nos. allotted by the A.S.O. are not suitable for adoption as the final parcel Nos.

1122. The examining officer will then encircle lightly in blue pencil all the final parcel Nos. on both copies of the provisional block plan.

1123. Any provisional parcel Nos. that have not been adopted as final parcel Nos. will be neatly crossed out on the plan in such a manner that they will not be entirely obliterated but will still be legible.

1124. The examining officer will then compare the boundaries of each registration block as shown on the provisional plan for the block, with the adjacent block boundaries shown on the provisional or final plans of the adjoining registration blocks.

1125. If any discrepancies in the block boundaries are found, the examining officer will refer them to the Settlement Officer for ruling.

Schedule of Decisions.

1127. When the examination of all Memoranda of Claims and supporting documents of a registration block has been completed, and all the omissions and discrepancies have been corrected, and rulings have been obtained from the Settlement Officer on matters of doubt, an officer will compile in draft form a Schedule of Decisions for each registration block, or Masha' locality, on Form CL/36 for Mafruz land and Form CL/37 for Masha' land, crossing out the word "Rights" at the head of the Form and substituting the word "Decisions".

1128. The scheduling officer will rule an extra column on the extreme left-hand side of the Form which he will head "Claim No.", and another column on the extreme right-hand side of the Form which he will head "Initials of Settlement Officer and date".

1129. In compiling the draft Schedule of Decisions, the scheduling officer will use the approved phraseology for all the particulars in the Schedule.

1130. The scheduling officer will enter from the provisional block plan the survey trig. point numbers (Instructions 45/46) against the relevant final parcel numbers in the Schedule of Decisions.

1131. If the scheduling officer is in doubt as to the phraseology to be used in a particular instance, he will refer to the Settlement Officer for a ruling.

1132. The scheduling officer will write his initials at the bottom of each page of the draft Schedule of Decisions indicating thereby the correctness of the particulars entered on the page.

1133. On the completion of the draft Schedule of Decisions for a registration block, or Masha' locality, the scheduling officer will endorse on the outside of the registration block file cover the words:

"Claims publicly investigated at.....
on.....in respect of undisputed rights.
There are disputes in the following
parcels: No..... ..
SETTLEMENT OFFICER".

1134. The scheduling officer will enter all details of the endorsement, except the date, which will be entered by the Settlement Officer after he has carried out the public investigation of the claims.

Special Entries on Schedules of Decisions.

1137. If the Settlement Officer or Area Settlement Officer decides a dispute before the Schedule of Rights for the block concerned has been published, he will forward to the Central Office a Decision Form (CL/83) setting out the particulars to be included in the Schedule of Rights.

1138. The senior clerk of the claims section will attach the Decision Form (CL/83) of the Settlement Officer to the Schedule of Decisions and will endorse the original entry showing the rights to be in dispute "decided by Settlement Officer.....Area, case /, vide Decision Form datedattached.

1139. Where rights in a parcel are disputed, the words IN DISPUTE will be entered in capitals in the relevant column of the Schedule. In the case of the "Other Rights" column, the entry will be augmented to show what right is in dispute, e.g. "A mortgage is IN DISPUTE".

1140. Where rights in a parcel are in dispute before the Land Court or Court of Appeal, and the case is not withdrawn and submitted to the Settlement Officer for hearing, an entry will be made in the relevant column in the following manner:-

"In accordance with judgment to be given in an action pending before
.....

Muhammad 'Ali
versus
The Government of Palestine
(Case No.....).

1141. If the dispute before the Court is in respect of the boundary between two or more properties, the area in dispute will be treated as a separate parcel and an entry will be made in the Schedule in accordance with Instruction 1140.

1142. If the dispute before the Court is in respect of the boundary between a Mafruz parcel and Masha' land, or between two villages, or is of any other nature as to delay settlement work, the Settlement Officer will notify the

Commissioner of Lands with a view to the matter being brought to the notice of the President of the Court or the Chief Justice with a request that the action may, if possible, be decided at an early date.

1143. Where a possessory title is granted the entry in the column "Nature of Rights" will be as under:-

"possessory title running from
.....(previously registered
in the name of.....)"

1144. If in the course of his investigation the Settlement Officer is satisfied that the previous registered owner is an absentee he will add after the previous registered owner's name:-

"An absentee who has not been
in possession since....."

1145. Where a Waqf is entitled to any part of the fees on the initial registration of rights entered in the New Registers and/or any subsequent transaction therein, and/or to the whole or part of the tithes, an entry will be made at the foot of the Schedule as follows:-

"The Waqf.....is entitled to the following revenue in respect of all lands described in this Schedule as
"(insert the category of the land):-

- (1)the fees for the registration of rights set forth in this schedule;
- (2)the Land Registry fees on any subsequent disposition as may be prescribed in the Schedule of Fees made under Section 15 of the Land Transfer Ordinances, 1920-21;
- (3)the tithes."

(Insert in the blank spaces "the whole of", "one-half of", etc., as the case may be).

1146. When the Waqf entitlement is in respect of one or only a few parcels appearing in the Schedule, the wording will be suitably amended and will be entered against each parcel or parcels concerned.

1147. Entries in respect of public roads, open spaces and wadis of the Matruka category will be made as follows:-

Names & addresses etc.	Nature of Right.	Remarks.
<u>(a) Scheduled Roads</u>		
The High Commissioner for the time being on behalf of the Government of Palestine.	Public.	Scheduled Road.
<u>(b) Inter-village roads.</u>		
The High Commissioner for the time being on behalf of the Government of Palestine.	Public.	Road.
<u>(c) Village roads and open spaces.</u>		
The Mukhtars (or Local Council) for the time being on behalf of the village of.....	Public.	Road.
<u>(d) Wadis.</u>		
The High Commissioner for the time being on behalf of the Government of Palestine.	Public.	Wadi.

1148. See also special sections:

Masha' lands held in indefinite shares - Insts. 1276 to 1278.

Village sites settled under Section 27A of Land Settlement Ordinance - Insts. 1281 to 1282.

Villages, detachments etc. Insts. 1286 to 1289.

Exhibits to the Schedule.

1151. The scheduling officer will neatly and legibly serially number in red ink all the deeds of mortgage, agreements of lease and other supporting documents that will have to be sent to the Land Registrar with the Schedules of Rights, commencing with the number one for each block, in the following manner:-

"Exhibit No.....to Schedule of Rights No..."

1152. The scheduling officer will write the exhibit number against the relevant entry in the draft Schedule of Decisions.

1153. The scheduling officer will endorse the final parcel number in red ink on the deeds of mortgage, agreements of lease and other supporting documents that are sent to the Land Registrar with the Schedules of Rights (See Instructions 605 and 1214).

Control and Checking of work of Examination.

1156. When the examining officer has verified all the claims in a registration block or masha' locality and the draft Schedule of Decisions for the block or masha' locality has been compiled, the senior clerk of the claims section staff will carry out a check of the examining officer's work. The senior clerk may, with the approval of the Settlement Officer, delegate such of his checking work as is purely mechanical to another of the claims section staff.

1157. The checking officer will not be required to re-examine all the Memoranda of Claims and supporting documents but will verify that all the omissions and discrepancies for which query sheets have been addressed to the A.S.O. have been corrected and the corrections endorsed on the Memoranda of Claims.

1158. The checking officer will check all "examination slips" in detail and will initial them in blue pencil to indicate that they are correct.

1159. The checking officer will examine in detail important supporting documents, such as Powers of Attorney, Mortgage Deeds, agreements for lease etc. where extensive areas of land or large sums of money are affected. He will also examine a small number of less important documents as a general check on the work of the examining officer.

1160. The checking officer will also pick out at random a few Memoranda of Claims of a registration block or masha' locality and check the particulars under the various headings.

1161. The checking officer will compare all the counterclaims with the original claims and verify that the rights which are counter-claimed have been duly entered in the examination slip as being in dispute, that the Memoranda of Counterclaims are correctly filled in, signed and witnessed, and that the serial numbers of the Memoranda of Claims and the Memoranda of Counterclaims have been correctly cross-referenced.

1162. The checking officer will verify that the parcels in each registration block have their correct final parcel numbers, that these are correctly stated on the provisional block plans (two copies) and on the Memoranda of Claims and Memoranda of Counterclaims.

1163. The First Division Officer i/c of the claims section will compare the recommendations of the A.S.O. in Part 'C' of the Memoranda of Claims with the particulars entered under the various headings in Part 'B' of the Forms (and particularly with Part B.4 thereof), and with the various reports on the village and any instructions and/or rulings which may have been given by Area Settlement Officers.

1164. If the officer i/c observes that a recommendation of the A.S.O. appears to be in conflict with admitted particulars under the headings in Part 'B' of the Forms, or with any instructions and/or rulings of Area Settlement Officers, he will refer to the Settlement Officer for instructions.

Checking of Schedules of
Decisions.

1166. On the completion of the check of the Memoranda of Claims for a block or masha' locality, the checking officer will check every detail in the draft Schedule of Decisions with the Memoranda of Claims for the block.

1167. Having checked an item in the draft Schedule of Decisions, the checking officer will neatly tick the entry with blue pencil.

1168. On completing the checking of a page of the draft Schedule of Decisions, the checking officer will write his initials on the bottom of the page which will indicate that the entries on the page have been correctly entered.

Public Investigation of
Claims.

1171. The Settlement Officer will issue a notice on Form CL/39 of the final public investigation of rights. The notice will be distributed as follows:-

- 1 copy to each member of the Village Settlement Committee.
- 1 copy to the Mukhtar or Local Council for posting in the village.
- 1 copy to the Settlement Officer of the Area for posting at his office.
- 1 copy to the District Officer for posting at his office.
- 1 copy to the Mayor of the town in which the District Office is situated for posting.
- 1 copy to the Director of Lands.
- 1 copy to the Attorney General.
- 1 copy to the Land Registrar.
- 1 copy to the A.S.O. (if he is still in the village) for posting.
- 1 copy to be posted at the Central Office.
- 1 copy to be filed at the Central Office.

1172. The investigation will be carried out in the village concerned in public. The members of the Village Settlement Committee will attend the investigation and every facility will be given for members of the public to attend.

1173. While it is necessary that the investigation initially, and for the most part must be done publicly and in the presence of the Village Settlement Committee and other claimants, Settlement Officers are not precluded from supplementing such public investigation by further enquiry made in other ways; but if any information so obtained is in the nature of evidence, it must be made public.

1174. The Settlement Officer will make such investigation into undisputed claims as may be necessary and will read out his decisions as to the rights which he will include in the Schedule of Rights. In the case of disputed rights that have not been settled the Settlement Officer will announce what rights will be shown in the Schedule of Rights as being in dispute.

1175. Before investigating the rights in a parcel the Settlement Officer will announce the position of the parcel relative to the first one investigated in order that those present may understand which parcel is being investigated.

1176. The Settlement Officer on deciding a claim, will initial his decision on the Schedule of Decisions, and on completion of the final examination of all the claims in a block or masha' locality, will date and sign the last page of the Schedule of Decisions.

1177. The Settlement Officer will verify the entries in the Schedule of Decisions with the Decision Forms of the Area Settlement Officers in the case of disputes decided by those officers, and with the Certificates of Registration in cases of urgent registration, and will initial the entries if in order.

1178. If a decision of the Settlement Officer entails the correction of an entry in the draft Schedule of Decisions, the Settlement Officer will correct the entry and will initial and date it.

1179. On completion of the investigation the Settlement Officer will sign and dispose of all the relevant provisional registration block plans as provided for in Instruction 57 and will also sign the outside cover of the block file (Instruction 1133).

Completion of Schedules of Decisions
on receipt of final plans etc.

1186. On receipt of the final plans and lists of areas of parcels and survey fees from the Director of Surveys, and officer will compute the registration fees and will enter the areas of parcels and the survey fees and the registration fees in the relevant columns of the Schedule of Decisions. He will also compare the provisional block plans with the final plans to verify that all changes in the provisional plans arising from the preliminary and final investigation of claims have been duly incorporated in the final plans. The senior clerk will check the additional entries made in the schedule.

Fees.

1188. The survey, registration and partition fees due for each parcel, and also Court fees payable by successful litigants but not paid to the Settlement Officer during settlement, will be entered in the relevant columns on the Schedule of Rights (Land in divided Ownership) or Partition Schedule. Any Court Fees payable by successful litigants in regard to Masha' shares, but not paid to the Settlement Officer, will also be entered in the "Fees" column under "Others" on the Schedules of Rights for Masha' shares.

1189. For facility of administrative procedure and submission of returns of collections by District Authorities, the total fees for each block will be shown by the Settlement Officer on the last page of each Schedule for that block.

1190. Where a parcel is held in undivided ownership by a number of persons, a single entry will be made in respect of the survey fees due on the parcel.

1191. In regard to registration fees, as some owners of rights may have to pay fees and others not, and as there is a minimum fee in respect of every right recorded, registration fees must be charged separately against the names of each owner of a right or an indication made that no fee is payable.

1192. No transaction regarding places of worship, shrines or cemeteries is possible without the consent of the Waqf Authorities concerned. With the exception of cemeteries on which no fees are payable the initial fee for the entry of the parcel in the new registers will invariably be charged where the parcel has not already been registered in the Existing Register, or where such registration is modified in the Schedule of Rights. The Settlement Officer will indicate on the Schedule of Rights whether such property is Moslem or non-Moslem as the Moslem Waqf Authorities are entitled to be paid half of any fee chargeable on Waqf property. The payment to the Waqf of half of the fees is a matter for the Director of Lands to adjust and is not the concern of the Settlement Officer.

Schedules of Rights.

Preparation.

1196. When the Schedule of Decisions is finally complete, the Schedule of Rights will be compiled therefrom. Five copies will be made.

1197. The Schedules of Rights will be typed exactly in accordance with the Schedules of Decisions. Officers typing and checking Schedules of Rights will ensure that all amendments to the Schedules of Decisions have been initialled by the Settlement Officer and will not pass as correct any amendment that has not been so initialled.

1198. Schedules of Rights will be checked in detail by the responsible senior clerk who will initial each page as certifying the accuracy of all entries made therein.

1199. The Schedules will be numbered consecutively in each Settlement Area in the order in which they are sent to the Land Registrar. The No. will be inserted in the space provided on the form, and if the Schedule consists of more than one page an oblique stroke will be made after the serial No. after which will be inserted the page No.

Under the space for the Settlement Officer's signature on the last page of the Schedule the following remark will be inserted:-

"This Schedule comprisespages".

1200. The following certificate will be typed after the last entry on each Schedule:-

"This Schedule was read in the village of.....on....."

Settlement Officer".

1201. In the case of there being a large number of disputes in a registration block, the Schedule of Rights will not be prepared without the express approval of the Settlement Officer. The Settlement Officer will use his discretion whether to publish the Schedule or to postpone publication until the disputes or some of them have been decided.

1202. After the Schedules have been prepared, translations thereof will be made, in duplicate, in Arabic or Hebrew according to the language of the village. The translations will be marked "Translation only. For authoritative Schedule see English copy signed by the Settlement Officer." The translations will be issued for the convenience of the village and though they are not to be regarded as authoritative they will be carefully checked.

1203. The responsible senior clerk will carefully check the final plans with the approved preliminary plans and will ensure that the areas appearing on the final plans agree with those entered on the Schedules of Rights.

Reading of Schedules.

1206. Notice of Reading of Schedules will be given on Form CL/43. Copies will be distributed as follows:-

1 copy to each member of the Village Settlement Committee.

1 copy to the Mukhtar or Local Council for posting.

1 copy to the A.S.O. if he is still in the village, for posting at his office.

1 copy to the Settlement Officer of the Area for posting at his office.

1 copy to the Attorney General.

1 copy will be posted on the Central Office notice board.

1 copy will be filed in the Central Office.

1207. The Settlement Officer may entrust the reading of Schedules to any A.S.O. or to any senior clerical officer at his discretion and according to convenience. In cases where an officer other than the Settlement Officer reads a Schedule, the officer reading the Schedule will insert his initials under the space for the Settlement Officer's signature of the certificate referred to in Instruction 1200.

1208. The officer delegated by the Settlement Officer for the reading of Schedules will make no amendments whatsoever to the Schedule. After the reading, he will return the Schedule to the Central Office with a covering letter stating that no queries were raised at the reading or that queries were raised at the name of the person raising a query should invariably be stated. The

Signature and Publication.

1211. After the reading has taken place, the Settlement Officer will sign each page of every Schedule and will insert the date. He will also sign the certificate as to the reading (Instruction 1200). The Settlement Officer will also initial every alteration on the Schedule.

1212. After signature, the Schedules will be distributed as follows:-

- (a) 1 copy with a copy of the translation to the Mukhtar (or Local Council) concerned for posting in the village;
- (b) 1 copy to the Settlement Officer of the Area for posting at his office.
- (c) 1 copy with a copy of the translation to the District Officer of the Sub-District for posting at his office (Form CL/80).
- (d) 1 copy to be posted at the Central Office.

1213. The Settlement Officer will inform the Commissioner of Lands on Form CL/81 immediately any Schedule is published in order that the Commissioner of Lands may arrange for a notice to be published in the Gazette.

1214. After the expiration of the period of posting, the Settlement Officer will transmit the originals of the Schedules to the Registrar of Lands concerned together with copies of the relevant block plans signed by him and the relevant deeds of mortgage, agreements of lease, etc. accompanied by an Order directing that the rights be registered (Form CL/51). If there are disputes respecting any rights, the Settlement Officer will draw the attention of the Registrar thereto.

1215. After the period of posting has expired, the copy of the Schedule which was posted in the Central Office will be transmitted to the Commissioner of Lands.

1216. One copy of the plan duly signed by the Settlement Officer will be sent to the Director of Surveys after the Schedules have been transmitted to the Registrar. The third copy of the plan will be filed at the Central Office and if there are any disputes in the block a fourth copy will be sent to the Settlement Officer of the Area with the documents relating to the disputes.

Schedules of Rights to Shares
in Masha' Lands.

1221. Rights to shares in masha' lands will be scheduled on form CL/37. A list of any mufruz parcels situated within the masha' area will be inserted at the foot of the Schedule stating the names of the owners, the nature of the rights, and brief descriptions of the parcels.

1222. If there is any dispute as to the total number of shares in a masha' locality, no Schedule of Rights to shares will be published in respect of that locality until after the dispute has been settled.

1223. If there is a dispute as to the boundary of a masha' locality, publication of the Schedule of Rights to shares for that locality need not necessarily be delayed pending the settlement of the dispute. The Settlement Officer will use his discretion in such cases. In this connection, see Instruction 1142.

1224. Instructions 1196 to 1213 will apply to Schedules of Rights to shares.

1225. When forwarding Schedules of Rights to shares in masha' lands to the Registrar, the Settlement Officer will state that the particulars given in the Schedule are not to be entered in the new registers, that partition of the masha' lands is to be made, and that Schedules of Partition will be forwarded in due course to replace the Schedules of Rights to Shares.

Schedules of Partition.

1231. Instructions 1198 to 1200 and 1202 to 1216 regarding Schedules of Rights will apply equally to Schedules of Partition (Form CL/44 for notification of reading).

1232. In compiling Schedules of Partition the Settlement Officer will take action to ensure that all mortgages, attachments and other rights appearing in the Schedules of Rights to shares, and all mafruz parcels entered at the foot of that Schedule (Instruction 1221) are duly carried on the Schedules of Partition.

Partition of Masha' Lands held
in definite shares.

General.

1236. No partition will be made by the Settlement Officer or by the claimants to shares if there is any dispute as to the total number of shares in, or as to the boundary of, the locality concerned until the dispute has been settled.

1237. If disputes such as those referred to in Instruction 1236 are before the Land Court or Court of Appeal, and are not withdrawn for settlement by the Settlement Officer, the Settlement Officer will report the matter to the Commissioner of Lands as required by Instruction 1142.

1238. If there are no disputes as to the total number of shares in, or as to the boundaries of, the masha' lands, or if such disputes have been settled and there has been no appeal against the decision of the Settlement Officer or his decision has been upheld on appeal, and the Schedules of Rights to shares have been published for the prescribed period, the Settlement Officer will notify the Commissioner of Lands that partition operations can be proceeded with. The Settlement Officer ~~xx~~ will recommend which A.S.O. should be entrusted with the work, preferably the A.S.O. who carried out the preliminary investigation of the village.

Partition made by the share-
holders.

1241. If the shareholders have elected to carry out their own partition, vide entries made under Part 'B'.10 of their Memorandum of Claim, the A.S.O. will obtain a declaration signed, if possible, by all the shareholders, but in any case by the owners of not less than two-thirds of the shares,

- (a) appointing a Committee for the partition; and
- (b) stating that the owners of the shares will make no claim to the Courts, to the Settlement Officer, or to the Director of Surveys, for the repartition of the lands or for the adjustment of areas of parcels after the partition has been carried out; and
- (c) that any inaccuracies in areas (other than differences due to "weighting of land) allotted to the shareholders which may become apparent after the survey has been made will be adjusted among the shareholders themselves by the payment of compensation at rates to be agreed on by the parties concerned, or fixed by the Committee for partition with the approval of the Settlement Officer.

(Note:- The Settlement Officer, if appealed to, may himself fix the rates if there is disagreement among the people).

1242. On the submission of the declaration referred to in Instruction 1241, the Settlement Officer will fix a time limit (normally two months) for the completion of the partition and the demarcation on the ground of the parcels resulting therefrom.

1243. The Settlement Officer will warn the shareholders:-

- (a) that they will be required to notify him on completion of the partitioning;

- (b) that they will be required to submit to him a formal document, signed by the owners of not less than two-thirds of the shares, agreeing to the partition that has been effected and requesting his approval of the partition and the formal acceptance thereof;
- (c) that roads must be provided in the partitioning to give access to all parcels, and that in the general absence of such roads, he may refuse to accept the partition;
- (d) that parcels or shares in parcels which are found to be less than any of the registrable minima prescribed for the village must not be allotted, and if such unregistrable parcels or shares in parcels are discovered they will be eliminated, or if there are a great many, he may refuse to accept the partition.

1244. On completion of the partitioning, the A.S.O. will proceed to the village and will:-

- (a) obtain the document referred to in sub-paragraph (b) of Instruction 1243, will ensure that it is properly worded, will obtain the signatures of the owners of not less than two-thirds of the shares thereto;
- (b) examine the parcels on the ground and will ensure as far as possible that sub-minimum parcels have not been made, and that access roads have been provided;
- (c) make a croquis of the parcellation on a copy of the village diagram and draw up a list, in duplicate, of the parcels, their owners, and the share of each co-owner (See Instruction 68).

(Note:- If it is possible for them to do so, the shareholders should be required to draw up a croquis of the partition, which the A.S.O. would then check).

- (d) check the list of parcel owners with the Schedules of Rights to shares to ensure that every person whose name appears in the Schedule has been allotted at least one parcel in the locality concerned;
- (e) submit a report in writing to the Settlement Officer, together with the croquis and the lists referred to above, on the partition in general and the action taken by him, and will state whether in his opinion the partition may be accepted. If he is of opinion that it should not be accepted, he will state the reasons in full.

1245. If the Settlement Officer decides that the survey of the partition shall be made, he will forward the croquis and one copy of the list of parcels and their owners to the Director of Surveys and will request the Director to act in accordance with Instruction 69.

1246. On receipt of the preliminary copies of the final block plans and the lists of areas from the Director of Surveys, the Settlement Officer will cause them to be checked and will, if necessary, send the A.S.O. again to the village to eliminate occasional shares or parcels that are not registrable under the Order prescribing minima, to arrange rights of way for occasional parcels not abutting on public roads, and to clear any queries that may have arisen in the course of the survey or of the checking.

1247. On completion of the checking of the plans and after all adjustments have been made and queries cleared, draft Schedules of Partition will be prepared and carefully checked before the Schedules of Partition are typed. (See Instruction 1231).

1248. The Settlement Officer will return the preliminary copies of the final plans to the Director of Surveys as required by Instruction 70.

Partition by Government.

1256. If partition is to be made by Government, whether as a result of entries made under Part B.10 of the Memorandum of Claim to shares or as a result of the people themselves not having carried out their own partition within the time allotted by the Settlement Officer (Instruction 1242), the A.S.O. will proceed to the village and, in consultation with the Village Settlement Committee, will draw up a preliminary scheme for the partition of the masha' lands.

1257. The Settlement Officer will supply the A.S.O. with a copy of the small scale map of the village and the list of masha' localities and their areas (See Instruction 53(d) and (e)), and the office copy of the Schedules of Rights to shares.

1258. In order to prepare the preliminary scheme, the A.S.O. will ascertain into how many units the masha' lands are to be divided for the purpose of the partition, and will mark them roughly on the small scale map allotting a capital letter to each for reference purposes. If the land is to be "weighted", he will indicate in each partition unit on the map the relative values.

1259. The A.S.O. will draw up an explanatory note of the system of partition recommended including the approximate positions of Ruba's or groups if agreed upon, the rough order of parcellation, the direction of parcels and proposed accommodation roads and any other information that may be required to enable the Settlement Officer to decide the broad outlines of the scheme which will be adopted.

1260. He will then obtain a formal document signed by the members of the Village Settlement Committee approving the scheme and requesting its acceptance by the Settlement Officer.

1261. The A.S.O. will forward the explanatory note (Instruction 1259), the diagram (Instruction 1258) and the document signed by the members of the Village Settlement Committee (Instruction 1260) to the Settlement Officer for his consideration.

1262. After the Settlement Officer has signified his approval to the preliminary scheme, the A.S.O. will compute the approximate area

of each partition unit as finally decided.

1263. The A.S.O. will then draw up in the prescribed form in duplicate a schedule for each unit for partition showing the owners of shares grouped as may be decided by them, according to

- a) Ruba's or major groups,
- b) minor groups and individual owners of partners in a particular parcel.

1264. The A.S.O. will compute the share-equivalent of the minimum registrable area and will inform shareholders whose parcels or shares in parcels will apparently be less than the registrable minimum that if after the exact areas are known their parcels or shares are found to be unregistrable they will be eliminated. If sub-minimum parcels or shares in parcels are likely to result because their owners are to be allotted more than one parcel, the A.S.O. will bring this to the notice of the Village Settlement Committee and will endeavour to reduce the number of parcels to be allotted to such persons to obviate the necessity for elimination.

1265. The A.S.O. will on a day, notified in the village by the publication of the prescribed notice/not less than seven days prior to the drawing, draw lots publicly in the village for the relative positions of parcels, and will draw up a formal statement of the proceedings at the drawing. This statement will be signed by the members of the Village Settlement Committee and the Mukhtars present. He will explain to the meeting the scheme of partition as approved by the Settlement Officer.

1266. Lots will be drawn in the following manner:-

- a) between major groups, (ruba's or hamulas),
- b) between minor groups within each major group,
- c) between individuals or groups of individuals desiring to remain in ~~the~~ partnership within each minor group

subject to no agreement having been reached regarding the relative positions, as between major groups, minor groups and individual claimants or groups of claimants in partnership.

The drawing of lots may be effected in the following manner:-

In one receptacle will be placed a series of folded slips bearing numbers from 1 onwards corresponding to the number of major groups, or the number of minor groups within a major group or the numbers of individuals/partnerships within a minor group as the case may be. In another receptacle will be placed a similar series of numbers. A number will be drawn from each receptacle simultaneously, that from the first receptacle indicating the major group, minor group or individual/partnership as the case may be, and that from the second receptacle indicating the relative position to be assigned in each case.

1267. The procedure laid down in Instructions 62/~~xxx~~ 65 will then be followed.

1268. The Settlement Officer will cause the preliminary copies of the plans and the lists to be checked, and will arrange for any necessary eliminations, etc., to be carried out before approving the plans, and will indicate to the Director of Surveys what amendments to the partition, if any, are to be made.

Masha' Lands held in indefinite shares.

1276. In the case of masha' lands held on a system of joint customary tenure in indefinite shares (see Instructions 29, 30, 901, 902 and 903), based on the judgment of the Court of Appeal, dated 29.9.1926, (Appendix/III) the entry in the Schedule of Decisions in the column "Names and addresses, etc." in respect of each masha' parcel in each registration block will be as follows:-

"The Mukhtar for the time being of.....on behalf of and in trust for (here describe who are entitled to share in the lands - "the inhabitants of the village" or "the adult male inhabitants", etc.) according to the customary tenure and usage of the village as described in this Schedule."

1277. The system of customary tenure will be described in detail in the "Other Rights" column, or if the block consists of a number of parcels and the description is a lengthy one, the description may be entered at the foot of the Schedule and an appropriate entry made against each parcel referring to the note at the foot.

1278. The Settlement Officer will consult with the Settlement Officer of the Area concerned in every case where such systems of tenure exist and will request instructions as to the procedure to be adopted and the wording to be employed.

Village Sites settled under the provisions of Section 27A of the Land Settlement Ordinance.

1281. No public investigation will be made in respect of rights in parcels settled under the provisions of Section 27A of the Land Settlement Ordinance except such as are disputed for which Memoranda of Claims are recorded (Instruction 878) which will be settled by the Settlement Officer of the Area.

1282. If a Schedule for a block can be compiled without waiting for the settlement of the disputes therein, or if the disputes or some of them have been settled, the Settlement Officer will proceed as follows:-

- (a) He will prepare a Schedule on Form CL/36, amending the heading to read "Schedule of Reputed Owners and Schedule of Rights."
- (b) The column "Names and addresses of persons entitled to rights" will be amended to read "Names and addresses of reputed owners or persons entitled to rights."
- (c) The column "Nature of Rights" will be filled in "Reputed ownership" except where the Area Settlement Officer has decided the ownership of the parcel in a disputed claim in which case the entry will be "Proprietorship".
- (d) In the column "Remarks" a brief description of the parcel will be inserted.
- (e) Any servitudes affecting the parcels will be entered in the column "Other rights affecting the parcel".
- (f) In the case of reputed ownership no fees will be charged. Survey and registration fees will be charged in the case of parcels the ownership of which has been decided in disputed cases.

(g) Subject to the foregoing provisions, the Schedule will be completed by copying the entries from the Schedule of Sites and Buildings (Form CL/77) prepared and published by the A.S.O. in accordance with Instruction 877.

(h) The Schedule will be read out in the village, signed by the Settlement Officer, published, distributed, and finally sent to the Land Registrar for entry in the registers in exactly the same manner as laid down in Section "Schedules of Rights". (Instructions 1196 to 1216).

Villages, Detachments etc.

1286. The name of the village to be entered on the Schedule of Rights will be that appearing on the Preliminary Notice of Intended Settlement, except in the circumstances provided for in the following Instructions 1287 to 1289.

1287. If during the course of settlement operations it is found that a new village has been established which has not been proclaimed as a village under the Order in Council, and which has not been treated as a separate village during the survey operations, and if it appears to the Settlement Officer that it is desirable to treat the area concerned as a separate village, the Settlement Officer will notify the Commissioner of Lands in order that with the concurrence of the District Commissioner a recommendation may be made for the village to be added to the list of proclaimed villages. Pending the proclamation of the village, settlement will proceed as though the area of the new village formed part of the village lands in which it was included in the survey. See also Instruction 136.

1288. If the inhabitants request the inclusion, as part of their village, of one or more complete registration blocks (whether contiguous to the lands of their village or not) which they state they have purchased from the inhabitants of another village, and it is found after full enquiry that their statement is correct, the Settlement Officer will send full particulars to the Commissioner of Lands with his recommendations and will request instructions as to which village the blocks concerned are to be included in for settlement purposes.

1289. Where a detachment of a village falls within the boundaries of a sub-district other than the sub-district in which the main village is situated, the Settlement Officer will indicate on the Schedules of Rights to which sub-district the main village belongs (see Instruction 22). Such detachment will be treated for all settlement and registration purposes as forming part of the sub-district in which they are situated.

Disputed Claims.

1291. On completion of the final public investigation of rights in any block or masha' locality by the Settlement Officer (Instruction 1176) the senior clerk of the claims section will extract the Memoranda of Claims, Memoranda of Counterclaims, and the supporting documents relating to boundary disputes and other urgent disputes which require to be decided before the Schedule of Rights for the block or masha' locality can be compiled.

1292. The senior clerk will compile a list of the urgent disputes stating the serial numbers of the Memoranda of Claims, their corresponding Memoranda of Counterclaims, and supporting documents and will draft a letter for the signature of the Settlement Officer to the Settlement Officer of the Area concerned forwarding the list, Memoranda and documents and requesting that early settlement of the disputes may be made in order that the Schedule of Rights for the block may be published.

1293. On completion of the Schedules of Rights for the village, all the Memoranda of Claims for rights which are disputed and have not yet been forwarded to the Settlement Officer of the Area (see Instruction 1292) and are not yet decided (see Instruction 1137) and the Memoranda of Counterclaims of the disputes will be extracted and forwarded with a covering list to the Settlement Officer of the Area for hearing the disputes, together with the unofficial Land Book, if any, and the special or general documents, plans or files of the village that may be required by the Area Settlement Officer for the hearing of the disputes.

Correction of the Registers.

General.

1296. A Settlement Officer may at any time authorize the Registrar to correct a clerical error in a Schedule that has been forwarded to the Registrar for entry in the New Registers (Land Settlement Ordinances Section 61(1)). The authority will be conveyed to the Registrar on Form CL/86, copies of which will be distributed in the same manner as the original Schedule. As the forms are printed only in English, the copy forwarded to the village concerned should have a short translation of the contents inserted thereon.

1297. In regard to rights recorded in the Existing (old) Register which have been omitted from the published Schedules of Rights or have been incorrectly entered therein, the meaning of Section 61(2) of the Land Settlement Ordinance is that the Settlement Officer may authorize the Registrar to make corrections at any time before the registration has been completed in respect of all registration blocks of the village, or of a detachment where only the detached lands of a village were under Settlement, or of all the registration blocks included in the Preliminary Notice of Settlement where only part of a village was settled.

1298. After completion of the registration as defined in Instruction 1297, the correction of the New Register in respect of a right recorded in the (old) Existing Registers which has been omitted from or incorrectly entered in the Schedules of Rights can only be ordered by the Land Court (Section 59 of the Land Settlement Ordinance).

1299. The Registrar will be requested to acknowledge the receipt of all orders sent to him for the correction of the New Register.

Correction of Clerical
errors.

1300. Before ordering the correction of a clerical error in the New Register (see Instruction 1296), the Settlement Officer will ascertain from the Registrar whether there has been any transaction in respect of the right in which there was a clerical error.

1301. If there has been no transaction in respect of such a right, or if there has been a transaction and the correction of the clerical error would not adversely affect the transferee, or if it would affect the transferee but the transferee agrees to the correction, the Settlement Officer may order the correction of the error.

1302. If there has been a transaction and the correction would adversely affect the transferee and the transferee objects to the correction, the Settlement Officer will refer the matter to the Commissioner of Lands who will ascertain from the Law Officers what action should be taken.

Rights omitted from or incorrectly
entered in the New Register.

1303. Before ordering the correction of the New Register the Settlement Officer will ascertain from the Registrar whether there has been any transaction in respect of the right concerned since the initial entry was made. The Settlement Officer will also, if necessary, request the Registrar to state whether the registration has been completed according to the definition in Instruction 1297.

1304. If any transaction has been effected in respect of any right which has been omitted or incorrectly entered in the New Register, the Settlement Officer will not order the correction of the register without the written consent of the parties to the transaction.

1305. If the parties to the transaction object to the correction, the Settlement Officer will refer the matter to the Settlement Officer of the Area who will decide in his

judicial capacity the action which is to be taken, his decision being subject to appeal by the parties concerned if he orders the correction of the Register, or by the Attorney General, if he decides not to order the correction. In the latter case the Area Settlement Officer will notify his decision to the Attorney General.

1306. In the case described in Instruction 1305, as soon as the matter has been referred to the Area Settlement Officer, he will notify the Land Registrar concerned that the correction is under consideration by him.

1307. If the Area Settlement Officer orders the correction, Form CL/86 will be completed as follows: The first column will contain the column heading (in full) of the original Schedule, and if a number of rights appear in that column the particular right concerned will be indicated. In the second column will be indicated exactly what right or entry is to be deleted and what is to be substituted therefor.

Disposal of Village Files and
Records.

Undisputed claims.

1311. Six months after all the Schedules of Rights for the undisputed rights in a village have been transmitted to the Registrar, the Settlement Officer, Central Office, will forward to the Land Registrar of the Sub-District in which the village is situated, for custody, the files of Memoranda of Claim forms and the relevant documents of the registration blocks arranged by block for Mafruz land or by consecutive numbers for Masha' land.

In order to facilitate access to a document, a list of the files should be forwarded.

Disputed claims.

1312. When all the disputed claims in a parcel have been decided, if the decisions of the Area Settlement Officer have not been appealed, the Settlement Officer who has decided the disputes will forward the Memoranda of Claims, copies of the Amending Orders and all other documents of the parcel to the Settlement Officer, Central Office.

1313. The Area Settlement Officer may retain files which may contain documents required by him in other actions which may have not yet come up for hearing, or the hearing of which may have not yet been completed. When all such actions have been heard, he will forward the documents to the Settlement Officer, Central Office with a covering letter and list.

General.

1314. If the judgments of the Area Settlement Officer have been appealed, the Area Settlement Officer, having completed the Amending Orders (CL/86) and issued certified copies of any judgments applied for, will forward the files of the actions to the Land Court and a copy of his covering letter to the Land Court to the Settlement Officer, Central Office.

1315. The Settlement Officer, Central Office will retain the files and documents for a period of six months after which he will transmit them to the Registrar concerned for custody with a covering letter and list of the files.

Railway Level Crossings.

1318. Appendix IV contains notes for the guidance of those who are concerned with the siting of Railway level crossing places.

1319. Where additional crossings, or where changes of existing crossings, are asked for and appear to be desirable, the Settlement Officer will not address himself to the District Engineer Railways, but will communicate direct with the Chief Engineer and inform him of those requirements, stating his reasons therefor. He will send at the same time a rough sketch, or a print of the provisional registration block plan, of the area concerned, with the position, showing the kilometre and approximate 100 metre mark, of the desired crossing marked thereon.

1320. If the crossing is mutually agreed on, the Chief Engineer will direct the District Engineer Railways concerned to demarcate on the ground where the crossing is to be made and the Director of Surveys will arrange for the crossing to be indicated on the provisional registration block plan.

1321. If there is disagreement between a Settlement Officer and the Chief Engineer, the Settlement Officer will refer the matter to the Commissioner of Lands for discussion with the General Manager and Chief Engineer.

1322. If a Village Settlement Committee claims a right to a crossing and that right is disputed by the Railway Administration, the Settlement Officer will hear the dispute under the provisions of the Land Settlement Ordinance, either party having the right of appeal against his decision.

1323. No new village roads crossing the railway line and no servitudes over the railway line will be provided. New village roads may be provided to connect with approved level crossings as also servitudes over parcels to such crossings.

Outstanding final plans, lists of
areas etc.

1326. The Settlement Officer will forward monthly to the Director of Surveys a list, by village, of the provisional registration block plans submitted to the Director in accordance with Instructions 1179 and 57 for which final block plans, or schedules of areas, or statement of survey fees payable have not yet been sent by the Director in accordance with Instruction 58.

FORMS, PROGRESS RETURNS, LEAVE, UNCLASSIFIED
PERSONNEL, STATIONERY, CAMP & OFFICE EQUIP-
MENT, PAYSHEETS, ALLOWANCES, ETC.

List of Forms used in Land
Settlement.

1721. The following is a list of forms in use in Land Settlement against each of which has been inserted the number of the Instruction in which appears the first reference to the form:

<u>Form No.</u>	<u>Title.</u>	<u>First Ref. in Inst.</u>
CL/31	Preliminary Notice of Intended Settlement.	133
CL/32	Memorandum of Claim	351
CL/33	Final Settlement Notice	150
CL/34	Schedule of Claims (Land in Divided Ownership)	911
CL/35	Schedule of Claims (Land in Undivided Ownership)	911
CL/36	Schedule of Decisions	1127
	Schedule of Rights (Land in Divided Ownership)	1196
	In the case of: Schedule of Partition	1231
	Sch. of Reputed Owners and Sch. of Rights.	1282
CL/37	Schedule of Rights (Land in Undivided Ownership)	1221
CL/38	Order appointing Village Settlement Committee.	128
CL/39	Notice of Investigation of Claims.	1171
CL/41	Notice of Drawing of Lots.	1265
CL/42	Receipt for documents.	597
CL/43	Notice of Reading of Schedule of Rights	1206
CL/44	Notice of Reading of Partition Schedule.	1231
CL/47	Field Preliminary Investigation Slip.	253
CL/51	Covering letter to accompany Sch. of Rights to Registrar.	1214

<u>Form No.</u>	<u>Title.</u>	<u>First Ref. in Inst.</u>
CL/52	Statement of Daily Record of Hire of Transport by Field Officers.	1845
CL/53	Notice of A.S.O. leaving village	931
CL/54	Addition of Claims to Sch. of Claims.	923
CL/55	Notice under Correction of Land Registers Ord. to persons residing abroad.	218
CL/57	Parcelation Acceptance Notice.	975
CL/58	Order to attend (to Mukhtars)	226(d)
CL/59	Order to attend (to Individuals)	226(d)
CL/72	Register of Land Settlement Fees	1723(B)
CL/73	Notice under Correction of Land Registers Ord. to persons residing in Palestine.	982
CL/74	Progress Notice.	226
CL/75	Application to effect a transaction in the Land Registry.	818
CL/76	Notification to parties of Decision of the Area Settlement Officer.	1374
CL/77	Schedule of Reputed Owners of Sites and buildings excluded from the Sch. of Claims under Sec.27A.	877
CL/78	Blank Public Notice.	
CL/79	Observation (query) Sheet to A.S.O.	1051
CL/80	Notification to District Officer of posting of Schedules of Rights & Partition Schedules.	1212(c)
CL/81	Notification to Commissioner of Lands of posting of Schedules of Rights and Partition Schedules	1213
CL/83	Elimination of Parcels to shares incapable of registration under orders prescribing minima and (on reverse) Decision of Settlement Officer on Claim to rights.	856 1137

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<u>Form No.</u>	<u>Title.</u>	<u>First Ref. in Inst.</u>
CL/86	Order of Registration or Amendment of Registration.	1296
CL/88	Renunciations	636
CL/89	Correspondence Pads	2056(c)
CL/90	Notice for demarcation of the partition of masha' land.	66
CL/91	Certificate of demarcation of the partition of masha' land.	66
CL/92	Order under section 9(c) of Ordinance of service of statements or documents on parties in hearing of actions before the Settlement Officer.	1357
CL/93	Particulars of entries made in the Existing register affected by Court Attachments and particulars of said attachments.	145
CL/94	Amicable agreement between co-owners of partition of properties	505
CL/95	List of Wadhans dated prior to 1920 presented at Land Settlement.	631
CL/96	Return of Certificates of Succession issued by Land Settlement Qadi.	1722
CL/97	Field Progress Report by A.S.O.	1722
CL/98	Progress Report by Area S.O. of disputed claims and actions heard.	1722
CL/99	Progress Report by S.O. Central Office on Final Investigation of undisputed claims - mafruz.	1722
CL/100	Progress Report by S.O. Central Office on Final Investigation of undisputed claims - masha'.	1722
CL/101	Progress Report by S.O. Central Office on publication of Schedules of Rights, Schedules of Reputed Owners and Sites, and Partition Schedules.	1722
CL/102	Report of A.S.O. on Amicable settlement of minor disputes.	1722

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<u>Form No.</u>	<u>Title.</u>	<u>First Ref. in Inst.</u>
CL/103	Statement of Collection of Land Settlement Fees by District Officer.	1722
CL/104	Quarterly Statement by C. of Lands to Treasurer of arrears of Land Settlement fees.	1722
CL/105	Application for leave by classified officers.	1733
CL/106	Notice of engagement of unclassified personnel and record of leave granted.	1742
CL/107	Recommendation for annual increment.	1746
CL/108	Certificate of Immovable Property owned by Government Officers.	1761
CL/109	Application for permission to purchase or sell immovable property.	1761
CL/110	Application for permission to mortgage immovable property.	1762
CL/111	Return of Duty & Field Allowance	1806
CL/112	Statement of expenses incurred on transport of unclassified personnel.	1863
CL/113	Return of Trunk Calls made by Settlement Officers.	1882
CL/114	Report on condition of tents or huts.	1910
CL/115	Application by A.S.O. for Land Settlement Forms or stationery requirements.	1941
CL/116	Replies by A.S.Os. to queries.	2037
CL/117	Statement of unpaid hearing fees due from unsuccessful litigants.	1399
Legal/3	Ld. Cm. Summons to Witness.	1360
Legal/5	Ld. Cm. Summons to Parties.	1360
Legal/91	Return to Supt. of Courts of Cases heard by Area Settlement Officer.	1722

Progress Reports and Returns.

1722. The following reports and returns will be submitted:-

<u>No. of Form.</u>	<u>Period of submission.</u>	<u>Description.</u>	<u>By whom.</u>
CL/96	Weekly	Return of Certificates of Succession issued by Land Settlement Qadi.	Qadi thro' S.O., C.O.
CL/97	Monthly	Field Progress Report.	A.S.O. thro' S.O., C.O.
CL/98	Monthly	Progress Report of disputed claims and actions heard.	Area S.O.
CL/99	Monthly	Progress Report on final investigation of undisputed claims - Mafruz.	Settlement Officer, Central Office
CL/100	Monthly	Progress Report on final investigation of undisputed claims - Meshal	Settlement Officer, Central Office
CL/101	Monthly	Progress Report on publication of Sch. of Rights, Sch. of Reputed Owners and Sites and Schedules of Partition.	Settlement Officer, Central Office
CL/102	Monthly	Report on amicable settlement of minor disputes.	A.S.O. thro' Area S.O.
CL/103	Monthly	Statement of assessment & collection of L.S. Fees.	D. O. to C. of Lands.
CL/111	Monthly	Return of Duty & Field Allowances.	Area S.Os. & S.O., C.O.
CL/107	Monthly	Recommendation for annual increment.	Area S.Os. & S.O., C.O.
CL/113	Monthly	Return of Trunk Calls made	Area S.Os. & S.O., C.O.
Lgrs/91	Monthly	Return of cases heard.	Area S.Os. to Supt. of Court with copy to C. of Lands. C. of Lands Treasurer.
CL/104	Quarterly	Statement of arrears of L.S. Fees.	A.S.Os. to S.O., C.O.
CL/114	Quarterly	Report on condition of tentage.	Area S.Os. and S.O., C.O.
	Half-yearly	Next of kin of British Officers.	Area S.Os. and S.O., C.O.
	Yearly	Leave Scheme.	Area S.Os. and S.O., C.O.

1723. On the completion of settlement in a village, the Settlement Officer will send to the Commissioner of Lands:-

- (a) a statement, in triplicate, showing the aggregate fees payable in the village separately for survey, registration and partition;
- (b) a statement, in triplicate, of the aggregate sum of court fees which were payable in the village
 - (i) by successful litigants;
 - (ii) by unsuccessful litigants; and
- (c) a statement, in triplicate, showing the aggregate sum of the court fees which were paid to him during settlement by
 - (i) successful litigants;
 - (ii) unsuccessful litigants.

1724. Computation and collection of Fees due on Settlement.

A - Computation.

(i) The survey fees will be computed by the Director of Surveys and will be notified by him to the Settlement Officer.

(ii) The registration fees for the initial entries in the New Register and the fees for partition of land will be computed by the Settlement Officer.

The fees payable on registration under Settlement/~~as~~ prescribed in the Order made by the High Commissioner published in the Gazette Extraordinary of the 17th March, 1932.

(iii) Except as provided in Section 64(1) of the Land Settlement Ordinance, the rights of ownership for which fees are prescribed in Sections 1(a) and 1(b); the amounts of the fees so prescribed; and the exemptions including those under Section 4(a) of the Order referred to in the previous paragraph, are as follows:-

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FEES.

(a) A mafruz parcel, whether mulk or miri, held in single ownership and entered as such in the Schedules of Rights for entry in the New Register.

- 10 mils for each dunum or fraction of a dunum with a minimum of 50 mils for the parcel.

(b) A mafruz parcel, whether mulk or miri, held in shares by two or more persons, and not partitioned at Settlement, and entered as such in the Schedules of Rights for entry in the New Register.

- 10 mils for each dunum or fraction of a dunum represented by the share or shares of each person with a minimum of 50 mils per share.

(c) Masha' land held in shares and not partitioned at Settlement and entered as such in the Schedules of Rights for entry in the New Register.

- 10 mils for each dunum or fraction of a dunum represented by the share or shares of each person with a minimum of 50 mils per share.

(d) Masha' land registered as Masha' in the existing Registers but unofficially partitioned prior to Settlement, such partition resulting in

(i) parcels held in single ownership;

(ii) parcels held in shares by two or more persons

and entered as such in the Schedules of Rights for entry in the New Register

- Where such partition is accepted under Section 23 of the Land Settlement Ordinance, or where it is not accepted but the land is re-partitioned by the Settlement Office no fee.

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(e) Masha' land partitioned at Settlement, on application within the period prescribed in Section 63 of the Land Settlement Ordinance, and entered as such in the Partition Schedules for entry in the New Register.

- No fee.

(f) Masha' land partitioned at Settlement, application not having been made within the period prescribed in Section 63 of the Settlement Ordinance (and resulting in

(i) a parcel held in single ownership;

(ii) a parcel held in shares by two or more persons)

and entered as such in the Partition Schedules for entry in the New Register

- If a resulting parcel is held by one person a fee of 10 mils for each dunum or fraction of a dunum with a minimum of 50 mils for the parcel. If a resulting parcel is held in shares by two or more persons, a fee of 10 mils for each dunum or fraction of a dunum represented by the share or shares of each person with a minimum of 50 mils per share.

(g) A Mafruz parcel held in shares by two or more persons and partitioned at Settlement, on application within the period prescribed by Section 63 of the Land Settlement Ordinance, and entered as such in the Schedules of Rights for entry in the New Register.

- No fee.

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(h) A Meafruz parcel held in shares by two or more persons and partitioned at Settlement, application not having been made within the period prescribed by Section 63 of the Land Settlement Ordinance (and resulting in

(i) a parcel held in single ownership;

(ii) a parcel held in shares by two or more persons)

and entered as such in the Schedule of Rights or Partition Schedule for entry in the New Register

- If a resulting parcel is held by one person a fee of 10 mils for each dunum or fraction of a dunum with a minimum of 50 mils for the parcel. If a resulting parcel is held in shares by two or more persons, a fee of 10 mils for each dunum or fraction of a dunum represented by the share or shares of each person with a minimum of 50 mils per share.

(i) Under Section 1(c) of the Order.

On the registration of a right of ownership of mulk buildings or trees or other things permanently fixed to mulk land, such as irrigation tanks and wells, including irrigation wells, and owned separately from the land or of buildings or trees etc. which were erected or built on miri land prior to 1331 A.H. and owned separately from the land - 250 mils.

The fee for the registration of the site of the building or haram of the trees, or well, or tank, will be as under (a) or (b) of this paragraph.

(j) No fee will be payable on mulk buildings or trees not owned separately from the mulk land on which they are erected or planted, nor on buildings or trees erected or planted on miri land which were capable of registration prior to 1331 A.H. and are not owned separately from the land on which they are erected or planted, nor on buildings or trees erected or planted subsequent to 1331 A.H. on miri land and are not owned separately from the miri land on which they are erected or planted, but a fee will be payable on the site of the building or harem of the trees, or well, or tank, as under (a) or (b) of this paragraph.

(k) Under Section 2 of the Order.

In the case of a lease, the fee will be 1 mil per dunum or fraction of a dunum on the aggregate area covered by the lease

- Minimum fee
50 mils.

(l) Under Section 3 of the Order.

In the case of mortgages, the fee will be half the amount of the fees which would be payable under the previous clauses of this paragraph

- Minimum fee
50 mils.

(m) No fee will be payable on registration of:-

Cemeteries;

Land and buildings used for any system of water supply owned by the village;

Buildings, gardens and playgrounds dedicated to educational purposes;

State or Village Metruks;

Land, buildings, etc. owned or leased by the Government of Palestine or the Imperial Government.

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B - Collection.

(i) The District Authorities are concerned with the collection of fees payable at settlement including unpaid Court fees. These fees are recoverable under the Law for the Collection of Taxes of the Government.

(ii) A copy of the Schedule of Rights, or of the Partition Schedule, which is forwarded to the District Officer for posting in his office in accordance with Section 32(1) or Section 55 of the Principal Ordinance will provide the District Authorities with the names of persons from whom registration fees are due and the amounts payable.

(iii) Badl Misl will be collected by the Land Registrar.

General Regulations, etc.

1725. All officers will carefully study the General, Financial and Stores Regulations of Government.

Signing of Administration and Settlement of Rights letters, documents etc.

1726. Officers will sign documents as follows:-

Settlement Officer
of Area

- In all matters relating to Administrative duties and settlement of rights:

SETTLEMENT OFFICER,
.....SETTLEMENT AREA.

Settlement Officer,
Central Settlement
Office.

- In all matters relating to general administrative duties:

SETTLEMENT OFFICER,
CENTRAL SETTLEMENT OFFICE.

In all matters relating to settlement of rights in a specific area:

SETTLEMENT OFFICER,
.....SETTLEMENT AREA.

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Assistant Settlement
Officer.

- On letters and in all matters relating to administrative duties, etc:

ASSISTANT SETTLEMENT OFFICER
..... VILLAGE.

In all matters for which the officer has authority to act on behalf of a Settlement Officer:

ASSISTANT SETTLEMENT OFFICER,
for SETTLEMENT OFFICER,
.....SETTLEMENT AREA.

Leave.

Classified Personnel.

1727. The Area Settlement Officer will submit annually the leave programme of the year for his staff.

1728. The Settlement Officer, Central Office, in consultation with Area Settlement Officers, will submit annually the leave programme of the year for the Central Office and field staff.

1729. Settlement Officers will submit the programmes referred to in Instructions 1727 and 1728 to the Commissioner of Lands for approval not later than the 6th of January.

1730. Settlement Officers will arrange the leave programmes so as to provide generally for an even leave distribution throughout the year, a minimum staff being absent during the months of May to October inclusive. Officers who last had leave during winter months should normally be given preference for leave during summer months.

1731. The field staff will be arranged in four groups for leave purposes:-

- a) Assistant Settlement Officers on ordinary Land Settlement operations taking ~~not~~ more than one month vacation leave;
- b) Assistant Settlement Officers on ordinary Land Settlement operations taking not more than one month vacation leave;

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- c) Assistant Settlement Officers employed on other duties; and
- d) Field clerical officers.

Notes:- (i) No officer should be included for vacation leave outside Palestine unless he is certain to take such leave if it is approved.

(ii) An officer who does not take his leave as approved may be required to forfeit all leave during the year.

1732. Except in the case of an Assistant Settlement Officer the commencing date of whose leave will normally co-incide with the completion of his work in the village in which he may be working when his leave becomes due, no variation will be made from the approved leave programme without the prior approval of the Commissioner of Lands.

1733. An officer taking vacation leave for which specific prior approval of the Chief Secretary is required will submit a formal application for leave (Form CL/105) in duplicate, not less than six weeks in advance of the date of his leave.

1734. An officer taking vacation leave for which specific prior approval of the Chief Secretary is not required, will submit formal application (Form CL/105), in duplicate, not less than ten days prior to the date of his leave.

1735. A First Division Officer taking vacation leave will submit "Departure" Certificate (Form P.F.4) and "Return to Duty" Certificate (Form P.F.5) in quadruplicate. The "Departure" Certificate will be submitted one week prior to the actual date of commencement of leave and the "Return to Duty" Certificate within two days of the return to duty.

1736. Settlement Officers may grant leave to their staff for a few days in urgent cases, such as the death of a relative, etc., reporting such leave to the Commissioner of Lands on Form CL/105 (one copy). Such leave will be deducted from the period of leave for the year of the officer concerned.

1737. The Settlement Officer will report any sick leave approved to a member of his staff by a Medical Officer on Form CL/105 (one copy). The Medical Officer's Certificate will be attached to the form.

Unclassified Personnel.

1741. A Settlement Officer may grant leave to the unclassified personnel on his staff in accordance with Chief Secretary's Circular No.11 (U/1456/31) dated 8th March, 1934, as follows:-

- Vacation leave - (a) After three years continuous service, at the rate of fourteen days per annum cumulative to a total of twenty-eight days;
- (b) less than three years continuous service, in accordance with the existing regulations.

- Sick leave - (c) After three years continuous service, in accordance with the regulations for the grant of sick leave to classified officers, except as regards half-pay leave; and
- (d) less than three years continuous service, in accordance with the existing regulations.

1742. The Settlement Officer will report leave granted to unclassified personnel on form CL/106.

Increments.

1746. The Settlement Officer, Central Office, in respect of the Central Office staff and field parties, and Area Settlement Officers in respect of their staff, will submit recommendations to the Commissioner of Lands on the 1st of each month on Form CL/107, in duplicate, for officers whose annual increments are due that month.

Conditions of Service - Unclassified Personnel.

1751. Settlement Officers will note Chief Secretary's Circular No.11 (U/1456/31) dated 8th March, 1934, for the conditions of service of unclassified personnel.

1752. The Area Settlement Officer may engage or discharge his process server or office messenger, and the Settlement Officer, Central Office, may engage or discharge the messengers in the Central Office and the labourers with field parties, reporting to the Commissioner of Lands on Form CL/106 (one copy).

1753. Settlement Officers will ensure that unclassified personnel are passed fit for service by a Government Medical Board before they are employed.

1754. Settlement Officers will maintain personal files for unclassified personnel. A separate file will be kept for each such employee recording therein his age, religion, date of medical examination, date of engagement, monthly wage, clothing issued, leave taken, and any disciplinary action under General Regulations.

Acquisition or mortgage of immovable property by Government officers.

1761. If an officer (or his wife) desires to purchase any immovable property or to sell any of his (or her) immovable property, he will submit a certificate of immovable property owned by him and/or his wife (Form CL/108) and an application for permission to purchase or sell immovable property, as the case may be, (Form CL/109). These forms will be submitted in duplicate.

1762. If an officer (or his wife) desires to mortgage his (or her) immovable property, he will submit a certificate of immovable property owned by him and/or his wife (Form CL/108) together with an application for permission to mortgage his/her immovable property (Form CL/110).

Railway duty and leave journeys.

1766. Officers travelling by train on duty or when entitled to railway warrants for leave journeys will obtain a railway warrant and exchange the warrant at the Railway Station for a railway ticket.

1767. If, in exceptional circumstances, an officer is unable to obtain a railway warrant or fails to exchange the railway warrant and purchases a railway ticket

- (a) he will obtain from the railway booking clerk (or ticket collector) a receipt for the money paid, on which should be stated particulars of the ticket issued;
- (b) he will submit an application, in duplicate, to the Commissioner of Lands, through the responsible Settlement Officer, for refund of the fare, attaching thereto the receipt for the fare paid (and the unexchanged railway warrant) and an explanation why the railway warrant was not obtained or exchanged as the case may be;
- (c) if the Commissioner of Lands is satisfied with the explanation, he will forward the application, together with a railway warrant, to the General Manager Palestine Railways, with a recommendation that the fare paid be refunded;
- (d) if the Commissioner of Lands is of opinion that the officer was to blame for the failure to obtain a railway warrant or to exchange the warrant for a ticket at the Railway Station, he will not recommend the refund of the fare paid.

Office Hours.

1771. The Commissioner of Lands will prescribe the office hours of the Central Office and of Area Settlement Offices.

1772. Assistant Settlement Officers may, subject to the approval of the Settlement Officer, Central Office, prescribe the office hours of their field parties.

Staff Movements.

1776. The Settlement Officer, Central Office, will not transfer clerical officers from the Central Office or a field party without the prior approval of the Commissioner of Lands.

1777. The Settlement Officer, Central Office, may transfer Grade 'O' clerical officers of the Central Office between the sections in that office.

1778. On his arrival in the "Settlement village" the A.S.O. will notify the Settlement Officer, Central Office, with copies to the Commissioner of Lands and the Settlement Officer of the Area,

the date of his arrival in the village;

his address for official correspondence;

the location of his camp or office; and

the road by which the village and his camp and/or office can best be reached by car.

1779. The A.S.O. will inform the Settlement Officer, Central Office, and the Area Settlement Officer, one week before the termination of his work in a village, the approximate date he proposes to leave the village.

1780. On the termination of his work in a village, the A.S.O. will notify the Settlement Officer, Central Office, with copies to the Commissioner of Lands and the Area Settlement Officer, the date of the completion of his work and the actual date of his departure from the village. He will also inform the Postal Authorities to what address his letters should be re-directed.

Salaries, Wages, Duty & Field Allowances.

Salary Paysheets.

1786. Salary paysheets (Form F.3) for all classified officers, and wages paysheets (Form F.4) for process servers and messengers of Area Settlement Offices, will be compiled in the office of the Commissioner of Lands.

1787. Wages paysheets (Form F.4) for unclassified personnel of the Central Office and field parties will be compiled in the Central Office. The paysheets will be made out in quadruplicate numbered serially throughout the financial year. The Settlement Officer, Central Office, will submit two copies of the paysheets to the Sub-Accountant, one copy to the Commissioner of Lands and retain one copy in the Central Office.

Duty Allowance payable.

1791. The rates of Duty Allowance are as follows:-

Area Settlement Officer - LP.200 per annum.

Settlement Officer,
Central Office - LP.100 per annum.

Assistant Settlement
Officers for whom this
allowance has been
approved - LP. 50 per annum.

1792. Duty Allowance will not be payable during absence on vacation or sick leave, or in the case of Assistant Settlement Officers on their temporary transfer from Land Settlement. The allowance will, however, be payable to entitled Assistant Settlement Officers during their absence from the field on settlement duty or on casual leave.

Field Allowance Payable.

1796. The rates of Field Allowance are as follows:-

Assistant Settlement Officers	- LP.75 per annum.
Field Clerical Officers.	- LP.48 per annum.
Moslem Religious Court Judge	- LP.48 per annum.

1797. Field Allowance will not be payable during the officer's absence on vacation, casual or sick leave or when he is transferred from field work. The allowance will, however, be payable on the officer's weekly day of rest, on Government official holidays, on leave not exceeding one night and, in lieu of travel allowance, for the first three nights on transfer from the field for other settlement duty. The allowance will also be payable when an officer is specially authorized to reside in a village other than the "Settlement Village" in which he is working. (See Instruction 2008).

1798. Deduction for any field allowance not payable will be based on the number of nights absent from the field.

General.

1801. Duty and Field allowance will not be payable until the officer's appointment is published in the Gazette.

1802. Gazetted acting Settlement Officers or Assistant Settlement Officers will be entitled to Duty Allowance while soacting if the allowance is not drawn by the officer holding the post.

1803. Duty and/or Field allowance may be reduced or withdrawn if the officer's work is not satisfactorily performed or if the conduct of an officer is considered prejudicial to discipline or to the Government service.

Method of Payment.

1811. When payment is to be made in cash, the Settlement Officer concerned will collect the amount from the local Sub-Accountant and pay it against receipt on the paysheet.

1812. When payment is to be made through a bank, the officer concerned will submit an application, in duplicate, for the payment to be made to the bank, stating the name and address of the bank and the month from which such payments are to commence.

1813. Payment of wages to unclassified personnel of the Central Office and of field parties will be made from Financial Allocations issued to the Settlement Officer, Central Office.

1814. To avoid the loss of time and expenditure which would be incurred in the collection ~~from~~ by the field staff of their salaries and allowances from the Central Office, field officers should arrange to have bank accounts into which their salaries and allowances can be paid.

1815. The A.S.O. will arrange with the Settlement Officer, Central Office, through which Sub-Accountant his labourers' wages are to be paid. On the first of each month, the A.S.O. will proceed to the office of that Sub-Accountant and will collect the wages. He will at the same time collect any salaries and allowances for himself and his clerk that may be awaiting collection, or will arrange to cash cheques for himself and his clerk as may be required.

1816. For the purpose stated in Instruction 1815, the A.S.O. will arrange to leave his camp early in the morning, so as to be able to complete his work and return to camp the same day. He will not sleep away from his camp. If the first of the month is the weekly day of rest of the A.S.O., or if it is a day on which the Sub-Accountant's office is closed, he will proceed on the second of the month. He will note that in no circumstances may he leave his camp for more than one day a month for this purpose. The field clerk may not be sent for this purpose.

Transport and Travelling.

Travel Allowances.

1821. If an officer who is entitled to Field Allowance is transferred temporarily from the field, he will draw Field Allowance for the first three nights (See Instruction 1797) and Travel Allowance thereafter for such period as may be approved.

Transport Allowances.

1825. The issue of Transport Allowance is governed by the provisions of Chief Secretary's Circular No.21 (F/170/33) dated 5th April, 1934.

1826. An officer who is entitled to draw Car Transport Allowance will not use his own car for any journeys which can be made by railway unless prior authority has been obtained from the Commissioner of Lands.

1827. Assistant Settlement Officers who are not entitled to draw Car Transport Allowance may use their private cars for inter-village duty journeys provided that:-

(a) Where there is a bus or public car service, the amount to be claimed will not exceed the cost of a seat in the car or bus whichever is the cheaper and will in no case exceed the rates notified by the District Commissioner from time to time. The following endorsement will be made on the "Hire of Transport Certificate" (Form F.67):-

"I hereby certify that the usual fare for a seat in a car/bus is as claimed in this voucher and that the amounts paid do not exceed the rates notified by the District Commissioner."

(b) Where there is no bus or public car service over the whole or part of the journey to be made, the amount to be claimed will not exceed the rates approved for entitled officers to the nearest bus or public car station, and only the bus or public car seat cost, whichever is the cheaper, from that point to destination. The following endorsement will be made on the "Hire of Transport Certificate" (Form F.67):-

"I hereby certify that there is no public car or bus service between.....and....., the distance in respect of which is as stated in this voucher, and that the usual fare for a seat in a car/bus from.....to.....is as stated in this voucher and does not exceed the rates notified by the District Commissioner."

1828. An officer entitled to draw Car Transport Allowance or an officer who is not so entitled but is authorised to use his private car in the circumstances mentioned in Instruction 1827 will endorse on his claim the make and horse-power of his car.

Hire of Car Transport.

1831. Assistant Settlement Officers will not use car transport for field investigation work to and from registration blocks unless the prior approval of the Commissioner of Lands has been obtained.

1832. Assistant Settlement Officers will not claim car or other transport from block to block nor when examining parcels in a block.

1833. An officer not entitled to Car Transport Allowance will use the bus or public car service, whichever is the cheaper, when such transport must be used for travelling on duty (But see Instruction 1827).

1834. The officer will endorse and sign a statement on the "Hire of Transport Certificate" (Form F.67) for the hire of a seat in a public car or bus, as follows:-

"I hereby certify that the rates notified by the District Commissioner for a seat in a car/bus have not been exceeded and that I have actually paid the total sum of LP....mils".

1835. Settlement Officers will pay from their imprest for duty journeys made by the unclassified personnel of their office on production of duly receipted bills as follows:-

"Received from the Settlement Officer
.....the sum of.....mils for the
transport of..... in (my) car/bus
from.....to....."

Date:..... Signature of driver:"

Hire of Animal Transport.

1841. The Settlement Officer, Central Office, will, as soon as possible after the issue of the Settlement Notice to a village, inform the Commissioner of Lands if in his opinion animal transport should be allowed for the field work and will state the Nos. of the Registration Blocks in respect of which he is of opinion that such transport may be required.

1842. When the A.S.O. is authorised for his own convenience to live in a village other than the "Settlement Village", the Settlement Officer, Central Office, will only recommend transport to and from Registration Blocks which he would have recommended if the A.S.O. resided in the "Settlement Village".

1843. While progress must be maintained and efficiency ensured, the A.S.O. will arrange his field investigation work so as to incur a minimum of transport hire.

1844. Animal transport will normally be used only for Registration Blocks as may be recommended by the Settlement Officer, Central Office, so as to save time proceeding to and/or from the blocks. Animal transport will not be used from block to block nor when examining parcels in a block.

1845. The A.S.O. will endeavour to hire animal transport at the lowest possible rate and will in no case exceed the rates notified by the District Commissioner from time to time. He will endorse the "Statement of Daily Record of Hire of Animal Transport by Field Officers" (Form CL/52) as follows:-

"I hereby certify that I have not been able to arrange for the hire of the animal transport for shorter periods and for lower amounts than as stated on the receipts, that the rates paid do not exceed the rates notified by the District Commissioner, and that the total sum of LP....mils has actually been paid by me to the owners of the animals."

1846. Settlement Officers will pay from their imprest for duty journeys made by the unclassified personnel of their office on production of duly receipted bills, as follows:-

"Received from the S.O. the sum of..... mils being hire of my animal for the transport of.....from.....to....."

Date:.....

Signature of
owner of animal:....."

Transport of Camps.

1851. The A.S.O. will ensure that the cheapest means of transport are used in the transport of camp from one village to another.

General.

1855. Officers who are authorized to live away from the "Settlement Village" (Instruction 2008) will provide transport to and from the village at their own expense.

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Preparation of Allowance
Claims.

1858. An officer entitled to Travel Allowance will prepare his claim, in triplicate, on the "Travelling Itinerary Sheet" (Form F.9).

1859. An officer entitled to Transport Allowance will prepare his claim, in triplicate, on the "Transport Itinerary Sheet" (Form F.8).

1860. Officers will not prepare the "Transport and Travelling Allowances Voucher" (Form F.6).

1861. An officer not entitled to Transport Allowance but who may use his private car in the circumstances stated in Instruction 1827 will prepare his claim, in triplicate, on the "Hire of Transport Certificate" (Form F.67) and a supporting "Other Charges Voucher" (Form F.5).

1862. An officer who has used car or animal transport other than for field investigation work, will prepare his claim, in triplicate, on the "Hire of Transport Certificate" (Form F.67) supported by an "Other Charges Voucher" (Form F.5).

1863. The Area Settlement Officer will prepare his claim, in duplicate, for transport expenses incurred from his imprest by the unclassified personnel of his office on the "Statement of expenses incurred on the hire of transport by unclassified personnel" (Form CL/112). He will also prepare a supporting "Other Charges Voucher" (Form F.5) in triplicate, which will contain no details other than "Hire of transport for periodto.....es per attached statement".

1864. The Settlement Officer, Central Office will prepare claims for transport expenses incurred from his imprest on the transport of unclassified personnel of his office. He will prepare Form CL/112, in duplicate, and form F.5, in quadruplicate.

1865. The A.S.O. will prepare his claim, in duplicate, for the hire of animal transport for field investigation work on the "Statement of daily record of hired transport" (Form CL/52). The entries will be made in indelible pencil, with carbon for the duplicate. He will insert in the "Remarks" column the Block and Parcel Nos. worked in each day and a brief note of the nature of the duty performed. He will also prepare an "Other Charges Voucher" (Form F.5), in triplicate, in

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indelible pencil with carbon interleaved which will contain no details other than "Hire of Transport for period.....to.....as per attached statement"

1866. The A.S.O. will prepare his claim for the moving of his camp on an Other Charges Voucher, in quadruplicate, immediately the expenditure is incurred.

Submission of Allowance
Claims.

1871. The Area Settlement Officer will submit claims for himself and for his office staff direct to the Commissioner of Lands.

1872. The A.S.O. will submit claims for Transport and Travelling Allowances for himself and for his field clerk through the Settlement Officer, Central Office, not later than the 1st of the month following that for which they are payable.

1873. The A.S.O. will submit his claim for the transport of his camp from one place to another immediately the expenditure is incurred.

1874. The Settlement Officer, Central Office, will submit to the Commissioner of Lands all claims for the Central Office staff and field parties, except claims for moving camp or for expenses incurred on the transport of unclassified personnel which will be paid from a Financial Allocation issued to him (See Instruction 1877).

1875. Settlement Officers will ensure that all claims to be paid from financial allocations held by the Commissioner of Lands will reach the office of the Commissioner of Lands not later than the 5th of the month following that for which they are payable. Claims not received by that date may be held over until the following month.

1876. The Settlement Officer, Central Office, will endorse on the "Other Charges Voucher" (Form F.5) of all claims submitted by the staff in the Central Office and by field parties as follows:-

"Certified that the journeys were
indispensable for the purpose of
Land Settlement".

Date:.....

Signature:....."

1877. The Settlement Officer, Central Office, will be provided with a Financial Allocation to enable him to pass to the Sub-Accountant direct claims for transport expenses incurred by A.S.Os. on the transfer of the camp of field parties and to recoup any expenses which may have been incurred from his imprest on the transport of unclassified personnel. He will submit two copies of the Voucher with supporting documents to the Sub-Accountant concerned, will forward one copy of the voucher to the Commissioner of Lands and retain one copy in his office.

Financial Allocations.

1881. The Settlement Officer, Central Office, will apply to the Commissioner of Lands quarterly for Financial Allocations separately by sub-head of Estimates. In his application he will state the unexpended amounts and the total amounts required for the quarter.

Telephone Trunk Calls.

1882. Area Settlement Officers and the Settlement Officer Central Office will submit a trunk call statement to the Commissioner of Lands at the end of each month on Form CL/113.

Office and Camp Equipment.

Purchase of Equipment.

1886. The Commissioner of Lands will arrange for the purchase of equipment.

1887. All equipment purchased will be forwarded to the Settlement Officer, Central Office, for issue in accordance with the scale in Appendix V.

Stores Accounts.

1888. Area Settlement Officers and the Settlement Officer, Central Office, will each keep an allocated stores ledger in accordance with the requirements of Stores Regulations, in which they will record all equipment received or issued by them.

1889. The Settlement Officer, Central Office, will also maintain a stores location statement showing:-

- (a) all office and camp equipment in Land Settlement;
- (b) issues to individual Area Settlement Offices;
- (c) issues to individual field parties (by name of A.S.O).
- (d) issues to Central Office; and
- (e) surplus in store-room.

1890. Settlement Officers will exhibit in each room of their offices an inventory of the allocated stores used in that room.

1891. The A.S.O. in charge of a field party will maintain an equipment book showing:-

- (a) date of receipt of equipment;
- (b) No. of Issue Voucher;
- (c) from whom received;
- (d) item;
- (e) quantity; and
- (f) if re-issued to whom sent, date and No. of Voucher.

1892. The Area Settlement Officer, the Settlement Officer, Central Office, and the A.S.O. will each maintain separate files for issue and receipt vouchers numbering each serially throughout the year

Issue of Equipment.

1896. Equipment as may be available, will be provided in accordance with the scale in Appendix V.

1897. Officers will note the following in regard to the issue and receipt of equipment:-

- (a) surplus equipment will be stored at Jaffe;
- (b) on the opening of an Area Settlement Office, the Settlement Officer, Central Office, will issue equipment in accordance with the scale prescribed;
- (c) on the formation of a field party, the Settlement Officer, Central Office, will issue equipment in accordance with the scale prescribed;
- (d) the Settlement Officer, Central Office, will transmit the issue voucher to the officer to whom the issue is made at the time that the equipment is despatched. The receiving officer will check and take the equipment on charge, sign the original of the issue voucher and return it to the Settlement Officer, Central Office, retaining the duplicate voucher for his file;
- (e) the Area Settlement Officer and the A.S.O. will follow the procedure outlined in Instruction 1897(d) when any equipment is returned to stores or is otherwise transferred;
- (f) when a field officer is authorised, in accordance with Instruction 2008, to provide his own living accommodation in the "Settlement Village", he will be issued with furniture only. He will return to stores any tent or hut for personal use which may have been issued to him unless in the opinion of the Settlement Officer, Central Office, this would cause unnecessary expense. If such equipment is stored in the village, no expense to Government can be permitted and will be met by the field officer; and

(g) transfer of equipment from one office or officer ~~to another~~ to another will be made only with the authority of the Settlement Officer, Central Office

1898. When a Settlement Officer proceeds on leave or is transferred, he will hand to his senior clerk or to his successor the equipment in his charge. They will both sign a Handing Over Certificate (Form SF/21).

1899. When an A.S.O. proceeds on leave, or when he is moved to another village and is instructed not to take his equipment with him, he will hand to his successor the equipment in his charge. Both officers will sign a Handing Over Certificate (Form SF/21).

1900. The procedure outlined in Instructions 1898 and 1899 will be followed when the Settlement Officer or A.S.O. takes over the equipment on return from leave.

1901. The Handing Over Certificate will be in duplicate. One copy will be retained by the officer taking over the equipment and the other copy will be forwarded by him to the Settlement Officer, Central Office.

1902. If an A.S.O. proceeds on leave before the completion of his work in a village for a period not exceeding one month, he will obtain instructions from the Settlement Officer, Central Office, as to the disposal of the equipment. If his absence on leave will exceed one month, he will return the equipment to stores.

Responsibility for Equipment.

1906. The Settlement Officer, Central Office, will be in general charge of all stores on charge of Settlement Officers and field parties.

1907. The Area Settlement Officer will be held responsible for any equipment issued to his office.

1908. The field officer will be held personally responsible for personal equipment issued to him and the A.S.O. for the tents, huts, office and camp equipment.

1909. Immediately any equipment is damaged, the officer responsible will communicate with the Settlement Officer, Central Office, stating:-

- (a) item affected;
- (b) nature of damage;
- (c) responsibility for damage;
- (d) whether damage can be repaired locally; and in that event,
- (e) approximate cost of repair.

1910. The A.S.O. will submit to Settlement Officer, Central Office, a report (Form CL/114) at the end of each quarter, or earlier if necessary, on the condition of his tents and huts.

1911. The Settlement Officer, Central Office, will consider the cheapest means of effecting the repair and arrange accordingly. If a major repair is required which could not be made locally and economically, he will direct the return of the article to stores for repair there.

1912. Officers will be held personally responsible for damage to the equipment in their charge due to their failure to take reasonable precautions or their disregard of instructions.

Surgical Haversacks.

1916. The Settlement Officer, Central Office, will indent for surgical haversacks on the Storekeeper, Medical Stores, Jerusalem for issue to field parties in accordance with the prescribed scale (See Appendix V).

1917. The A.S.O. will be held personally responsible for the proper care and use of haversacks. Any loss therefrom will be replaced at the expense of the officer concerned.

1918. The A.S.O. will apply for re-fills direct to the District Medical Office.

Rubber Stamps.

1921. The Settlement Officer, Central Office, will take on charge all rubber stamps used in area offices in the Central Office and by field parties and will issue them to Area Settlement Offices and field parties in accordance with the prescribed scale (See Appendix V).

1922. If an additional rubber stamp or a stamp of a different type is required, the Settlement Officer requiring it will apply to the Commissioner of Lands submitting a sketch and stating the reason for such requirement.

Winter and Summer Clothing.

1926. Winter and Summer clothing will be provided for ~~XXXXXX~~ process servers and messengers in accordance with the following scale:-

Scale.

Summer Issue.

Number.

Jackets; (High collar; two flap pockets with buttons; four buttons down front; slit at back; permanent belt; buttons leather); light Khaki drill.	2
Trousers, long; no turn-up; light Khaki drill.	2 pairs.
Kalpack, dark Khaki; Kalpack cover.	1
Sandals or brown shoes, as may be considered most suitable to climatic conditions.	1 pair.

Winter Issue.

Jacket; dark Khaki; high collar, two flap pockets with buttons; four buttons down front; slit at back; permanent belt; leather buttons.	1
Trousers long; dark Khaki turn down.	1 pair.
Boots black	1 pair.
Kalpack; dark Khaki, Kalpack cover	1
Overcoat, dark Khaki	1 (in five year
Mackintosh dark Khaki heavy waterproof	1 (in five year

Note:- Where Kalpacks are not issued, tarboushes must be worn. Other forms of headdress will not be worn with clothing supplied.

1927. The Settlement Officer concerned will, on the publication in the Gazette of the notice of adjudication of contract for the supply of clothing, submit Local Purchase Orders to the Contractor for the clothing required for his process server and/or messengers.

1928. All clothing supplied will remain the property of Government both before and after issue. The person to whom clothing is issued will be responsible for any loss or damage thereto other than fair wear and tear.

1929. Settlement Officers will ensure that their process servers and messengers are smartly and neatly turned out, and that the clothing which is supplied to them is worn by them.

1930. When summer-winter clothing is issued, the clothing supplied for the preceding Winter/Summer will be cleaned by the employee to whom it was issued, and will be handed in and stored in the office until the following Summer/Winter.

1931. Clothing which has become unserviceable will be sent by the Settlement officer concerned to the Settlement Officer, Central Office for submission in due course to the Survey Board for recommendation as to disposal.

1932. Government clothing of persons who leave the service will not be supplied to persons joining. They will be sent by the Settlement Officer concerned to the Settlement Officer, Central Office for submission in due course to the Survey Board for recommendation as to disposal.

Land Settlement Forms.

1936. Officers will not use any forms which have not been approved by the Commissioner of Lands.

1937. A Settlement Officer desiring to use a local form will submit two copies of the proposed form to the Commissioner of Lands with an explanation of and reason for its use.

1938. The Settlement Officer, Central Office, will indent on the Commissioner of Lands, on the first of each month, for Land Settlement Forms for the Central Office and field parties. The Area Settlement Officer will indent for his office requirements on the Commissioner of Lands direct.

1939. Officers will ensure that they have always a sufficient supply of forms.

1940. On the formation of a field party the Settlement Officer, Central Office, will provide the A.S.O. with an adequate supply of forms required for his work.

1941. The A.S.O. will exercise strict economy in the use of forms and will indent on Form CL/115 (two copies) on the Settlement Officer, Central Office, on the first of each month for any additional forms required.

1942. The Settlement Officer, Central Office, will ensure during his tours of inspection of field parties that A.S.Os. have sufficient supplies of forms.

Stationery.

1946. Attention is drawn to Chief Secretary's Circular No.17 (S/143/31) of 20.3.31 on the subject of stationery supplies.

1947. The Superintendent of Stationery will make issues in accordance with the scale laid down in Appendix VI.

1948. The Area Settlement Officer will indent on the Superintendent of Printing and Stationery for his stationery requirements.

1949. The Settlement Officer, Central Office, will indent on the Supt. of Printing and Stationery for stationery for the Central Office and field parties.

1950. Settlement Officers will submit indents half-yearly as may be directed by the Supt. of Printing and Stationery.

1951. Details of stationery on hand will be given on the half-yearly indent. The officer signing the stationery indent will be held responsible if supplies are found in excess of stock stated thereon.

1952. Settlement Officers will keep tally-cards and will show thereon the supplies received, issues made to the office staff and/or field parties and supplies on hand.

1953. The A.S.O. will exercise strict economy in the use of stationery and will indent on the Settlement Officer, Central Office, once a month for stationery supplies on Form CL/115 (in duplicate).

Railway Warrant Requisitions.

1956. Settlement Officers will obtain their supplies of Passenger and Baggage Railway Requisitions direct from the General Manager, Palestine Railways.

1957. When a book of Requisitions is exhausted, the Settlement Officer will at once return the counterfoils to the General Manager under registered cover.

Purchase of Expendable Stores.

1961. Settlement Officers will obtain their requirements of fuel wood, kerosene, dusters, brooms, etc. only from Government Contractors.

1962. The Area Settlement Officer will certify as correct the bills of stores supplied by Contractors and forward the bills to the Commissioner of Lands with an Other Charges Voucher (Form F.5) for payment. He will state on the Other Charges Voucher how payment is to be made.

1963. If the Settlement Officer pays the bill from his imprest, he will recoup himself by making the Voucher payable to himself.

1964. The Settlement Officer, Central Office, will settle bills for stores for the Central Office from the Financial Allocation issued to him. He will prepare an Other Charges Voucher in quadruplicate and will submit two copies of the Other Charges Vouchers supported by the bills or receipts to the Sub-Accountant for payment, forward one copy to the Commissioner of Lands and retain one copy in the Central Office file.

Cash-Chests.

1967. Settlement Officers will ensure that Financial Regulation 243 is complied with which prescribes that, whenever practicable, small safes must be duly secured by being built into the wall of the office in which they are kept or otherwise attached to the structure of the building.

1968. The Settlement Officer will keep imprest cash in the cash-chest separately from amounts received in court fees, fees for copies of documents and deposits for witnesses expenses.

Cash Books.

1971. Settlement Officers will keep two cash-books: one for imprest accounts, and one for Court fees received on the hearing of actions, for deposits received by him on account of witnesses expenses and fees received for copies of documents, etc.

Court Fees awarded for service
as experts.

1973. Officers will note that in accordance with Chief Secretary's Circular No.83 dated 20th January, 1928, they are forbidden to retain Experts and Inspection fees which may be awarded to them by the Courts. They will pay over such fees received by them to the clerk of the Court.

Fees - Accounting for.

1976. Settlement Officers will pay in to the nearest Sub-Accountant any money received by them in fees etc. They will pay over such amounts at least once a week and forthwith when the amount is LP.5 or over.

1977. Settlement Officers will classify on the pay-in voucher any fees received by them e.g. Court Fees, fees for copies of documents, deposits for witnesses expenses etc.

1978. Settlement Officers will number the pay-in vouchers serially throughout the year.

1979. The Area Settlement Officer will endorse on the file copy of his decision the amount of Court Fee paid, the receipt number and date of payment.

1980. The Qadi will

- (a) number serially all Certificates of Succession issued by him;
- (b) give a receipt in the prescribed form for every sum received by him, and enter the serial number of the Certificate on the receipt and on the counterfoil;
- (c) enter the receipt number and date of payment on the Certificate and will sign the entry. When no fee is collected, he will insert/the words "no fee collected";
- (d) keep a register in the following form:

/on the
Certificate

Serial number of Certificate,
Date of Certificate,
Name of person to whom Certificate issued,
Number of receipt given for payment of fee,
Date of payment of fee

in which he will enter the fees collected and will total the entries daily as correct and initial the last entry.

1981. The Qadi will pay in to the nearest Sub-Accountant moneys received by him as laid down in Instruction 1976.

1982. The Settlement Officer, Central Office, will ensure that all fees received by the Qadi are duly accounted for.

1983. As stated intervals, as may be prescribed by the Settlement Officer, Central Office, the Qadi will submit his register to the Central Office for local audit and for comparison with the Sub-Accountant's receipts for money paid in by him to the Sub-Accountant. The Settlement Officer, or an officer delegated by him, will initial each item, if found correct, and endorse on the register the sum which was paid in to the Sub-Accountant, quoting the receipt number and date.

1984. The Settlement Officer, Central Office, will ensure that, in the examination of Schedules of Claims, all Certificates of Succession which are attached to the Memoranda of Claims received in the office are endorsed in accordance with Instruction 1980(c).

Postage Stamps.

1991. Settlement Officers will apply to the Commissioner of Lands for postage stamps stating denominations and quantities required.

1992. Settlement Officers will take the stamps received on charge in a special register and will submit the bill received with the stamps, duly certified as correct, to the Commissioner of Lands for payment.

1993. The officer in charge of postage stamps will initial all entries made in the register which will be balanced at the end of each month and initialled by the officer as correct.

Revenue Stamps.

1996. Settlement Officers will apply to the Treasurer for revenue stamps stating the denominations and quantities required.

1997. Settlement Officers will take the stamps received on charge in a special register and will render to the Treasurer a return of stock on charge at the end of each month on Form F.83.

1998. Settlement Officers will not sell Revenue Stamps for the general convenience of the public but only to save time where insufficiently stamped documents are presented during the hearing of actions in villages where stamps are not obtainable.

1999. The Settlement Officer, Central Office, may supply the Land Settlement Qadi with a small float of revenue stamps of suitable denominations against receipt. The Qadi will hand to the Settlement Officer each week, or on each occasion he visits the Central Office, the amount received by him for the sale of the stamps against the return to him of the receipt he gave for the stamps. The money will be brought to account immediately by the Settlement Officer, Central Office, in his Cash Book.

Care of Camp Equipment and Huts.

Selection of Camp Site.

2001. The A.S.O. will, whenever possible, pitch his camp in the village or near to it. If he desires to pitch his camp at a distance from the village, he will apply to the Settlement Officer, Central Office, for permission and will explain his reason for wishing to do so.

2002. Whether the A.S.O. pitches his camp near to or at a distance from the village, except in the case of uninhabited detached lands of a village, he will invariably maintain his office in the village under settlement and will arrange for the safe custody of all documents, either by keeping them under lock and key, or by taking them backwards and forwards with him to his camp.

2003. If the office of the A.S.O. is not in the "Settlement Village" (See Instruction 2002), he will publish a notice in the village stating the location of his office. In the case of the settlement of inhabited detached lands of a village, he will publish the notice in the detached land and in the "parent" village. The A.S.O. will send copies of the notices to the Settlement Officer, Central Office, and the Area Settlement Officer.

2004. The A.S.O. will ensure that fences, trees, ground, etc. are not damaged on the camp site. He may be held personally liable for any damage caused.

Living in Camp.

2006. A field officer will not live away from his camp without the prior approval of the Commissioner of Lands.

2007. A field officer may absent himself without permission on the night preceding his day of rest or official holiday. The A.S.O. will, however, ensure that the camp is not left unattended at such times.

2008. When there is a suitable living accommodation in the village in which the field party is working or in an adjacent village and a field officer prefers to provide his own accommodation in the village, he may do so subject to the approval of the Settlement Officer, Central Office.

Camp Sanitation.

2011. All officers and labourers in camp will co-operate in keeping the camp clean and tidy, in preventing the breeding of flies, and generally in maintaining the camp in as healthy a condition as possible.

2012. The following will be observed in the interests of everyone in camp:

(a) Latrines will be kept in clean condition and left closed. Sacking will be nailed round the seats to prevent access by flies to the buckets;

(b) Each latrine bucket will contain a quantity of disinfectant;

(c) Buckets will be emptied before 8 a.m. into a trench. The contents of the buckets will be immediately covered with a layer of sand or earth.

(d) Latrine seats will be washed daily before 8 a.m. by a labourer;

(e) The servants' trench latrine will be kept in clean condition and, after use, a sufficient quantity of sand or earth thrown in. A spade will be kept for this purpose.

(f) Kitchen doors will be kept closed;

(g) Fresh food will be kept either in fly-proof safes, or under fly-proof cover;

(h) Kitchen shelves will be scrubbed daily;

(i) Kitchen refuse will be kept in petrol tins for which wooden covers will be provided. Refuse will be removed by the labourer as required and emptied into a trench and covered immediately with a layer of sand or earth.

(j) Specially marked petrol tins will be kept in each kitchen for drinking water. They will be kept solely for this purpose and wooden covers for the tins will be provided;

(k) Tents and bedding will be aired whenever weather conditions permit. The doorways and windows will be opened, tent walls rolled up and bedding spread out on the sides of tents or on the tent ropes to air. Baths will be dried and aired after use. Tents will be swept out each morning;

(l) Officers will ensure that the vicinity of the camp is not used by animals or otherwise fouled.

2013. The A.S.O. will note that among the contributory causes to rapid depreciation of tentage are:-

- (a) dirty condition of Shamsiyes and rotting effect on the canvas due to a combination of moisture (dew) and dust; and
- (b) the failure to loosen ropes at night or during rain when the shrinkage of the canvas causes undue strain on the material.

2014. The A.S.O. will adopt the following daily routine to safeguard tentage against deterioration:-

- (a) tent ropes will be loosened every evening and whenever it rains;
- (b) as soon as ^{the} canvas dries, the Shamsiyes of tents will be thoroughly swept daily and the tent ropes tightened.

Precations against fire.

2021. Assistant Settlement Officers will keep a fire extinguisher in an easily accessible place in the camp. Three tins, painted red, filled with water, will also be kept in the same place. Under no circumstances will this water be used except in case of fire. The water will be changed at least twice a week to prevent the breeding of mosquitoes.

2022. Assistant Settlement Officers will note that:

(a) lamps and stoves may not be filled in tents but must be taken outside for filling.

(b) tins of paraffin may not be kept in officers' tents but in the kitchen hut.

(c) Primus stoves may not be used in tents under any circumstances.

(d) Field officers should exercise great care in the disposal of burning matches and cigarette ends. Receptacles filled with damp sand will be placed in the tents or huts for cigarette ends and matches which should be carefully extinguished.

(e) Burning cigarette ends may not be thrown on the ground in the vicinity of any tents ~~which~~ without being first carefully extinguished, as they may be carried by the wind against the sides of tents and set them on fire.

(f) Hanging lamps will be suspended sufficiently low from the tent-roof to avoid risk of burning the roof. Hanging lamps may not be alight unless the chimney guard is in position. Table lamps may not be taken outside the office hut. If officers desire a light near their beds, they will use either hurricane lamps or "Sham'adans". Lamps or lights of any kind may not be left alight in a tent or hut during the absence of the occupant.

(g) Flit or similar preparations may not be sprayed in a tent or hut in which there is a lighted lamp or anything whatsoever which is alight, including cigarettes.

Camp Inspection.

2026. The A.S.O. will inspect the camp in company with the labourer on duty daily before 8 a.m. He will ensure that the instructions on camp sanitation are adhered to and that the camp is kept in a neat and orderly condition.

2027. The Settlement Officer, Central Office, will ensure during his tours of inspection that field officers have complied with these camp instructions.

Filing of documents and corres-
pondence.

General.

2031. Settlement Officers will ensure that correspondence on subjects of principle, procedure and Ordinances are filed separately from correspondence arising out of specific claims in a "Settlement Village", in order that on the completion of the settlement of the village all the documents connected with the claims may be forwarded to the Registrar and the other correspondence retained in the office for future reference.

2032. Settlement Officers may ~~follow~~ follow whatever system of filing they prefer, but it is suggested that the subject-head be divided into sections numbered serially, the number of the section following that of the subject-head, i.e.:- Stores - General - LS/1;
Purchase of stores - LS/1(1);
Issue of stores - LS/1(2), etc.

2033. Settlement Officers will keep a Register or list of all files stating their number and subject.

Field Party files and Registers.

2036. Two important objects in settlement work are accuracy and progress. In order that the full energies of Field Parties may be devoted to these ends it is necessary to simplify and reduce to a minimum the volume of administrative work.

2037. Correspondence with reference to claims must be avoided as far as possible. When an enquiry is made regarding information contained in notices and schedules which have been published, Form CL/116 should be used. Correspondence between Assistant Settlement Officers and Government Departments must be restricted strictly to matters of routine and other matters must be referred to the Settlement Officer.

2038. The following registers and files are those authorised to be maintained by Assistant settlement Officers. They must not be varied or added to except by authority in writing of the Settlement Officer, Central Office:-

(i) Registers:

- (a) Allocated stores.
- (b) Imprest Account, Stamp Register, and Phone Call Register.
- (c) Diary and "Bring Forward" Register.

N.B. No "IN" and "OUT" Mail Registers will be kept by Assistant Settlement Officers, nor registers of expendable stores.

(ii) Asst. Settlement Officers' General Files.

- (a) Accounts
 - (1) General.
 - (2) Postage Stamps and Phone Calls
 - (3) Railway Warrants.
- (b) Stores
 - (1) Allocated.
 - (2) Expendable.
- (c) Documents affecting settlement work in general
 - (1) Administrative Instructions.
 - (2) Local Orders.
 - (3) Assistant Settlement Officer's queries and rulings.
- (d) General Correspondence
 - (1) With Settlement Officers.
 - (2) With other Government Departments.
 - (3) Miscellaneous.
- (e) Personnel
 - (1) Officers.
 - (2) Labourers.

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(iii) Village Files.

(To be sent to Party Headquarters with the last Registration Block file of the village concerned).

(a) Notices and Summonses.

(i) Statutory and Non-Statutory.

(ii) Summonses & Orders to attend.

(b) Maps.

(c) Documents

(i) General Documents file (to be sent to Party Headquarters from time to time for Final Investigation).

(ii) Advance temporary file for documents in a village which will in future be dealt with by the Assistant Settlement Officer.

(d) Correspondence.

(i) With the Settlement Officer.

(ii) with other Government Departments.

(iii) Miscellaneous.

(iv) Observations on claims sent from Party Headquarters.

(e) Fiscal Blocks and Valuations.

The system of numbering as indicated above will be adopted by Assistant Settlement Officers.

Instruction 2038

In the case of ~~Section (ii)~~ (ii) above, the numbering will be as follows, and preceded by the name of the Assistant Settlement Officer abbreviated, e.g. Al/a/1 will indicate Mr. Alhassid's General Accounts File.

Instruction 2038

In the case of ~~Section (iii)~~ (iii) above the number will be preceded by the name of the village abbreviated, e.g. R.G./c/1 will indicate Ramat Gan General Documents File.

Communication with Government
Departments.

2041. Settlement Officers will not write direct to District Authorities or departments on questions involving policy or principle, but will address such questions to the Commissioner of Lands.

2042. The A.S.O. will not correspond with the District Administration or other Government Department except on matters of Settlement routine.

Inter-office Correspondence
Form.

2046. Officers will note that:-

(a) "Question and Answer" proforma (CL/89) will be used in correspondence between:

- (i) Assistant Settlement Officers;
- (ii) Settlement Officers, including Settlement Officer, Central Office, and the Assistant Settlement Officers;
- (iii) Settlement Officers, when practicable; and
- (iv) when practicable for simple and routine matters submitted by settlement officers to the Director of Surveys, Director of Lands, District Commissioners and District Officers.

Settlement Officers will use ordinary letter-headed paper for other communications, particularly of a legal or semi-legal nature.

(b) The forms are bound in cardboard cover and perforated for extraction and provide a space on the left side for the question or original communication and on the right for the reply.

(c) The form will be used in triplicate, indelible pencil ~~xx~~ being used for writing and carbon sheets between the leaves for copies.

(d) One of the duplicate copies will be kept in the file of the sender. The original and the second duplicate copy will be forwarded to the addressee who will return the original on which he will give his reply and retain the duplicate for his file.

(e) In the case of a communication to which no reply is required, ordinary letter-headed paper will be used.

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2047. Settlement Officers will reply to communications received from District Commissioners, District Officers, the Director of Surveys, the Director of Lands and other Government Departments on ordinary letter-headed paper.

2048. Settlement Officers will use ordinary letter-headed paper for correspondence with the public.

Amendments or Additions to Instructions.

2051. On receipt of an amended instruction the Officer will immediately paste it neatly over the previous Instruction and suitably correct the index.

2052. If a new page of Instructions is issued to replace an existing page the Officer will extract from the volume of Instructions the latter page and file it for reference.

2053. Settlement Officers who desire an additional Instruction to be issued or a modification of an existing Instruction, will submit a draft of the proposed additional or amended Instruction to the Commissioner of Lands with an explanatory note.

INVESTIGATION OF DISPUTED CLAIMS
AND ISSUE OF ORDERS OF REGISTRATION
TO IMPLEMENT DECISIONS ON DISPUTES.

1351. The Area Settlement Officer will decide conflicting claims. He will bear in mind that he is responsible ultimately for the satisfactory performance and completion of land settlement work in his Area. See also Instructions 181 and 951.

Posting of Notices, Schedules,
etc.

1352. The Area S.O. will post in his office the Notices, Schedules etc. which will be forwarded to him for posting by the Settlement Officer, Central Office and Assistant Settlement Officers as directed in previous sections of these Instructions.

Preparation of Cases.

1353. On receipt of conflicting claims with their relevant documents (Instructions 1292/1293) from the Settlement Officer, Central Office, the Area S.O. will cause the Nos. of the registration blocks and parcels and the names of the parties disputing rights in the parcels to be entered in the Cause Book.

1354. Concurrently with or on completion of the action directed in Instruction 1353, as may be decided by him, the Area S.O. will cause the preparation of the cases to be made and the Cause Book duly completed.

1355. The Court clerk will enter the parties to the dispute as plaintiffs, defendants or third party and will be guided by the provisions of Rule 5(1) of the Land Settlement (Procedure) Rules 1928.

1356. In cases where the provisions of Rule 5(1) of the Procedure Rules referred to in Instruction 1355 do not apply, the Area S.O. will state who shall be plaintiff and who defendant.

1357. The Area S.O. will serve Form CL/92 on all parties to a dispute. He will endorse on the form, that the parties concerned may examine in his office any documents which may be in the case file and which are relevant to the dispute.

1358. On receipt of the statement and documents submitted by the parties in accordance with the instructions in Form CL/92, the Area S.O. will cause them to be filed with the case. He will not send copies of the documents to the parties. See Instruction 1357.

1359. When all the pleadings and documents have been submitted by the parties, the Area S.O. will cause the necessary further particulars to be entered in the Cause Book and will fix a date for the hearing of the dispute.

1360. When the Area S.O. has fixed the date for the hearing of the dispute, the court clerk will arrange for the summoning of the parties and their witnesses. (Forms Legal/3 and Legal/5).

1361. The Area S.O. will note the Rule of Procedure No.2(4) made by the Chief Justice (Official Gazette No.267 of the 16th September, 1930) for the service of a summons on a person who is resident in Palestine but who resides outside the Settlement Area

Hearing of Disputes.

1365. If a Memorandum of Claim and documents are received by the Area S.O. from the Settlement Officer, Central Office, as relating to a dispute to be heard by the Area S.O. and the parcel is already the subject of a dispute in a Higher Court, unless that Court remits the dispute to be heard by a Settlement Officer, the Area S.O. will not cause any particulars to be entered in the Cause Book, will not take any steps to hear the dispute and will return the Memorandum of Claim and documents to the Settlement Officer, Central Office, for action in accordance with Instruction 1140.

1366. The Area S.O. will normally give priority to disputes for which decisions are urgently required either for Government purposes or to enable the completion of Schedules of Rights.

1367. Before hearing the action, if boundaries or revival of land are disputed, the Area S.O. will inspect on the ground the land which is the subject of the dispute and will direct the parties to the dispute to be present.

1368. The Area S.O. will normally hear the dispute in his office but if he is of opinion that it would be in the interest of the parties to hear the dispute in the village in which the land is situated, or if the parties give good reason why the dispute should be heard in the village or in some other place more convenient than the office of the Area S.O., he will hear the dispute there and not in the office.

1369. After hearing and recording the evidence and arguments of the parties, the Area S.O. will record his decision in writing in the case file.

1370. The Area S.O. will state in the last paragraph of his judgment which parties are present or are duly represented at the time he delivers judgment.

1371. The Area S.O. will notify the parties present or their representatives present as to their rights to appeal.

1372. If both the parties are present or represented when the judgment is given, the Area S.O. will read the judgment to them and the reading of the judgment will serve as a formal notification in presence.

1373. If one of the parties is not present or represented when the judgment is given, the Area S.O. will inform the party present or his representative present that he should serve a copy of the judgment on an opposing absent or unrepresented party because the period for submission of application for leave to appeal will not begin to run until the date of formal notification of the judgment.

1374. If both the parties are absent and are unrepresented when the judgment is given, the Area S.O. will nevertheless read the judgment aloud and will then inform the parties in writing that he has delivered judgment and that they may obtain copies of the judgment against payment of the prescribed fee.

1375. When the parties obtain copies of the judgment, the Area S.O. will serve the copies on them attached to Form Legal/15.

1376. The Area S.O. will note that no fee is payable for the first copy issued of his judgment or decision i.e. the person who first in time applies for a copy will not pay the fee.

1377. In all cases where the Government is a party, the Area S.O. will serve a copy of his judgment on the Attorney General or his duly authorised representative.

1378. If a case in which the decision of the Area S.O. was appealed is remitted to him by the Land Court or Appeal Court for rehearing, and the Schedule of Rights containing his decision has been posted and forwarded to the Registrar, the Area S.O. will at once notify the Registrar that the case has been remitted to him for rehearing and will state in his notification the registration block and parcel Nos. affected.

1379. In the case referred to in Instruction 1378, when the Area S.O. has completed the re-hearing of the case and has announced his decision, he will order the Registrar on Form CL/86 to correct the Register in accordance with that decision if any entries have already been made in the Register in respect of the parcel in dispute.

1380. If the Area S.O. decides a dispute in a registration block before the Schedule of Rights for the block has been published, he will forward to the Settlement Officer, Central Office a Decision Form (CL/83) setting out the particulars of his decision on the dispute which are to be included in the Schedule of Rights, or if the form is not suitable in a particular instance he will supply sufficient details to implement the decision in the Schedule of Rights.

1381. If the Area S.O. has decided the dispute after the Schedule of Rights for the block has been published, he will prepare an Amending Order (CL/86), in triplicate, and forward to the Land Registrar the original of the Amending Order setting out the particulars of his decision on the dispute to be entered in the New Register. See also Instructions 1382/1383 and 1386.

1382. If on the hearing of a dispute the Area S.O. has altered the boundary of any parcel, or has made two or more parcels of an existing parcel, or has combined two or more parcels into one parcel, he will

- (a) indicate those changes on his copy of the 'final' plan (See note in Instruction 57) which was signed by the Settlement Officer, Central Office to accompany the Schedule of Rights for the block,
- (b) ascertain from the Director of Surveys what numbers should be given to the new parcels formed by him in place of the numbers of the parcels as stated on the 'final' block plan,
- (c) enter the new numbers on the relevant parcels on the 'final' plan and sign the plan and endorse thereon any remarks or information which may be necessary to enable the Director of Surveys to prepare an amended plan, corrected 'final'
- (d) return the/~~amended~~ plan to the Director of Surveys and request him to compute the areas of the altered parcels and to send to him three copies of the amended plan duly signed and dated by the Director together with a list of the amended parcel numbers and their areas and the survey fee, if any, payable on each and to return to him at the same time the 'final' plan on which he had made his amendments and endorsed his remarks. See also Instructions 60/61.

1383. On receipt of the copies of the amended plan and list described in Instruction 1382 from the Director of Surveys, the Area S.O. will satisfy himself that the amended plan agrees with his decision on the dispute and will then sign the three copies of the amended plan.

Distribution of Amending Orders,
amended plans and documents.

1386. The Area S.O. will distribute the copies of the Amending Orders and of the amended plans as follows:-

Amending Orders.

- (i) original to the Registrar of Lands concerned together with copy of the amended plan and copy of the judgment and any deeds of mortgage, agreements of lease etc.,
- (ii) copy to the District Officer of the Sub-District in which the land referred to in the Order is situated, and
- (iii) copy for the case file.

Amending plans.

- (iv) copy to the Registrar of Lands with the original Amending Order,
- (v) copy to the Director of Surveys,
- (vi) copy in the case file.

Execution of decision of Area
Settlement Officer.

1391. The Area S.O. is not concerned with the execution of judgments nor with the actual delivery of the possession of land, nor with the collection of the costs for the hearing of disputes.

Notes:- (i) Section 14 of the Rules of Procedure made by the Chief Justice and published in Gazette No.216 of the 1st August, 1928 provide that an Order by a Settlement Officer putting a person in possession of any land will have the same effect as a judgment of a Magistrate's Court in a possessory action and will be executed in the same manner and on the same conditions.

(ii) Section 15 of the Rules prescribes the circumstances under which an order should not be made.

1392. If a decision has been given against any person and that person refuses to quit the land that he has claimed, the Area S.O. will, on application by the person in whose favour judgment has been given, give an order for delivery of possession to such person. The Area S.O. will note that his order for delivery of possession is a judicial order, the execution of which is not in his hands but in that of the Execution Officer.

Fees for hearing of disputes.

1396. The Area S.O. will include in his decision an order for payment of hearing fees by such parties as he may deem fit, unless he is satisfied that there is poverty or that the assessment of hearing fees would be a hardship.

1397. The fee for the hearing of a dispute which is not paid to the Area S.O. will be included in the Amending Order to the Registrar together with any registration and survey fees as a first charge on the land, or if the Schedule of Rights has not yet been published should be included in the Decision Form for entry in the Schedule as a first charge on the land.

1398. If the Area S.O. collects the fee he will endorse in the case file the amount of the fee payable, the amount collected, the date of payment and the receipt number and similarly the fee for a copy of the decision ~~is~~ if such fee is payable.

1399. If a hearing fee is payable by an unsuccessful litigant and the fee is not paid to the Area S.O. it will be collected by the District Authorities under the law for the Collection of Taxes. To enable this to be done, the Area S.O. will forward to the District Officer of the Sub-District concerned a statement of unpaid hearing fees due from unsuccessful litigants (Form CL/117)

Contraventions.

1406. Attention is drawn to Section 3 of the Contempt of Court Ordinance 1930 published in the Gazette No.263 of the 1st October 1930 which provides that the provisions of the Ordinance shall apply to the proceedings of a Settlement Officer in the hearing of claims under the Land Settlement Ordinance as if such officer constituted a Court.

1407. With the exception of failure to attend when summoned the Area S.O. should not try cases of contravention of his orders. Arrangements will, if necessary, be made with the District Commissioner that an Administrative Officer should proceed to the "settlement" village at stated intervals, or as may be arranged by the Settlement Officer and the District Commissioner, to try cases of contravention.

1408. The definition "Judicial Proceedings" in the Perjury Ordinance 1929, includes proceedings before a Settlement Officer. The Area S.O. may therefore take action for the prosecution of persons whose evidence or statements are in his opinion grossly perjured or false and as a result has caused him additional labour and loss of time.

Transactions in Land Registry
on grounds of urgency after
closing of existing Register.

1411. The Area S.O. will note that when a Schedule of Claims is published for a registration block in Mafruz land, or for a Qita' in Masha' land, the existing Register is closed for further registrations in respect of that block or Qita' but is not closed for the remaining lands in the village.

1412. If an application is submitted to the Area S.O. to authorise registration of a transaction on grounds of urgency under Section 36 of the Land Settlement Ordinance, the Officer will, at his discretion, refer the applicant to the Settlement Officer, Central Office, or, if he is satisfied as to the grounds of urgency, will authorise the registration.

1413. Before the Area S.O. authorises a registration referred to in Instruction 1412, he will ascertain from the Settlement Officer, Central Office, if the final examination of claims in the block or Masha' Qita' concerned has been made and if the Schedule of Decisions has been signed by that officer.

1414. In the case referred to in Instruction 1413, if the Settlement Officer, Central Office, advises that the public final investigation of claims has been completed and the Schedule of Decisions has been signed, the Area S.O. will not grant the authority for the registration unless in the opinion of the Settlement Officer, Central Office, the publication of the Schedule of Rights for the block or Masha' Qita' is likely to be delayed because of urgent disputes which have first to be decided.

1415. If the Settlement Officer, Central Office, advises that the public final examination of claims of the block or Masha' Qita' has not been made, the Area S.O. may authorise the registration.

1416. If the Area S.O. grants permission for an urgent registration, he will forward to the Settlement Officer, Central Office, a copy of the document authorising the registration.

Elimination of parcels and shares
below the prescribed registrable
minimum.

1421. If the area of a disputed parcel is below the registrable minimum, or if, as result of a decision by the Area S.O. in a dispute, the area of a parcel or the equivalent area of a share in a parcel is below the registrable minimum, the Area S.O. will carry out elimination of the parcel or share/ the elimination proceedings on the lines of Instructions 851 to 866.

1422. In any case in which as result of the Area S.O.'s judgment a parcel is to be eliminated and added to an adjoining parcel and the parcel to which it is to be added has appeared on a Schedule of Rights which has been forwarded to the Land Registrar, the Area S.O. will amend the copy of the 'final' plan which was forwarded to the Land Registrar together with the Schedule of Rights and will issue a suitable Amending Order and amended plan to the Registrar in respect of the parcel concerned. See also Instructions/1386 and last sentence of 1423.

1423. When a share is eliminated and is added to another share in the parcel (See Instruction 965), the parcel which is concerned in those shares having been entered in a Schedule of Rights which has already been forwarded to the Registrar, the Area S.O. will issue an Amending Order in respect of the share in the parcel to which he, before doing so, has added the eliminated share and will not fail to observe that registration and survey fees payable by individuals may be affected by the elimination.

1424. In the cases described in Instructions 1422 and 1423, if elimination is made and the registration and survey fees are effected in respect of parcels or shares in Masha' which have already appeared in the Schedule of Rights, the Area S.O. will not fail to notify the Registrar in the Amending Order of any necessary adjustment in respect of such fees.

1425. If the Area S.O. eliminates a share in Masha' land and the Schedule of Rights to shares has been forwarded to the Registrar, the

and will
t generally

/1382/1383,

Area S.O. will instruct the Registrar to amend the Schedule of Rights in respect of the share to which he has added the eliminated share and will issue similar Instructions to the Settlement Officer, Central Office, for the correction of the other copies of the Schedule of Rights to shares.

1426. If the ownership of a parcel is disputed and the area of the parcel is below the registrable minimum and the decision of the Area S.O. is appealed, he will nevertheless carry out the elimination of the parcel and include the particulars of the elimination proceedings in the file of the case for the information of the Court hearing the appeal.

Correction of the Register.

Correction of clerical errors.

1431. While the Area S.O. may authorise the Registrar to correct clerical errors, he will only do so in special cases and will ordinarily leave such corrections to be made by the Settlement Officer, Central Office. (Instructions 1296-1302).

Rights omitted from or incorrectly entered in the New Register.

1432. If any application is made to the Area S.O. to correct the Register because a right has been incorrectly entered therein or because a right which was entered in the existing Register was omitted in the new Register, the Area S.O. will normally refer the application to the Settlement Officer, Central Office, for action.

1433. If the Settlement Officer, Central Office, refers an application to the Area S.O. for the correction of a Register because the parties to the transaction object to the correction (See Instruction 1305), the Area S.O. will decide in his judicial capacity as to whether the correction should be made. His decision will be subject to appeal.

1434. In the case described in Instruction 143 as soon as the matter has been referred to the Area S.O., he will notify the Land Registrar concerned that the correction is under consideration by him.

1435. If the Area S.O. orders the correction, Form CL/86 will be completed as follows: The first column will contain the column heading (in full) of the original Schedule, and if a number of rights appear in that column the particular right concerned will be indicated. In the second column will be indicated exactly what right or entry will be indicated exactly is to be deleted and what is to be substituted therefor.

Copies of Documents.

1441. If an application is made for a copy of a document which is in a case file with an Area S.O., the Area S.O. will cause a copy to be made which he will certify and hand to the applicant against the payment of the prescribed fee, if any, and the prescribed stamp duty.

1442. If an application is made to the Area S.O. for a copy of a document which has already been transmitted to the Land Registrar with a Schedule of Rights or an Amending Order, the Area S.O. will refer the applicant to the Land Registrar, or to Section 46 of the Land Settlement Ordinance if action by a Court is required.

Disposal of Files and Documents.

1446. When all the disputed claims in a parcel have been decided, and those decisions have not been appealed, the Area S.O. will forward the Memoranda of Claims, copies of the Amending Orders and all other documents of the parcel to the Settlement Officer, Central Office with a covering letter and list of the documents sent.

1447. The Area S.O. may retain files which may contain documents required by him in other actions which may have not yet come up for hearing, or the hearing of which may have not yet been completed. When all such actions have been heard, he will forward the documents to the Settlement Officer, Central Office, with a covering letter and list of documents.

1448. If the judgments of the Area S.O. have been appealed, the Area S.O., having completed the Amending Orders (CL/86) and issued certified copies of any judgments applied for, will forward the files of the actions with a covering letter to the Land Court and will send a copy of the covering letter to the Settlement Officer, Central Office.

CONTRAVENTION SHEET.

Name of Accused:-

Address:-

Charge:- Contravention of
dated issued by the Assistant
Settlement Officer,, under
Section of the Land Settlement
Ordinances, 1928-33, in exercise of the
powers delegated to him by Order
of which appeared in the Gazette
No....., dated..... as amended by
Order..... of, Gazette.....
dated....., in that he/they did fail
to appear on the date and at the place as
directed in the said

Prosecuted under Section 66(1) of the
Land Settlement Ordinances, 1928-33.

Documentary
Evidence:

Copy of the attached.

Witnesses:

ASSISTANT
SETTLEMENT OFFICER.

10/4.

APPENDIX III.
(Ref. A.I. 1276)

SUPREME COURT AS COURT OF APPEAL.

Hasan 'Ali 'Ayad and others APPELLANTS Corrie, Ag.C.J.
Vs. Ali Jaredelle, J.
Ahmad Muhammad Radwan and RESPONDENTS Mustafe Khaldi,
others.

Common land distributable according to
the custom of the village, but registered
in the names of individuals.

Article 8 of Land Code. Form of entry in
Land Register.

Appeal from Land Court of Jerusalem.

For Appellants: Sh. Aref el Khatib 1926
For Respondents: Ibrahim Kamal 29th March.

The Appellants were registered owners
of certain lands in the village of Aslin.

The Land Court found that such lands in
fact formed part of the common lands of the village,
and that according to the custom of the village,
the common lands were distributed yearly among all
the males of the village, and ordered that the
lands should be registered in the Land Registry
as common land of the village.

HELD, that in view of Article 8 of the
Land Code the proper course was for each plot to
remain registered in the name of the present
registered owner, with an entry against such
plot to the effect that it is common land subject
to the custom of the village of Aslin.

Judgment of Land Court varied accordingly.

APPENDIX IV.

(Ref. A.I. 1318)

NOTES FOR THE GUIDANCE OF THOSE WHO
ARE CONCERNED WITH THE SITING OF
RAILWAY LEVEL CROSSING PLACES.

The following points should always be borne in mind:-

1. The Railway performs a public service and its trains are expected to run from point to point on schedule, it is thus essential that a train must have right-of-way along its track.
2. By reason of its speed and ~~high~~ weight and because it cannot deviate from its course a train is not capable of being manipulated to avoid collision with any obstruction suddenly introduced into its direction of travel, thus the onus of avoiding collisions at level crossings must rest upon road users who have perfect freedom of movement.
3. A ~~collision~~ collision at a crossing place may result in the loss of a large number of lives through the foolishness or neglect of a single individual.
4. Every level crossing over a Railway is a point of potential danger not only to road users but also to those who travel by train.
5. No recommendations should be made for the establishment of a new crossing place or for the resiting of one existing, unless the Reporting Officer has satisfied himself that a change in existing conditions is essential.
6. The possibility of utilising existing crossing places more fully by the development of roads to feed them, should very carefully be investigated.
7. All roads should intersect the Railway at right angles and the point of crossing should be chosen so that it is on a straight length of line and not on a curve.

One reason for this is that on Railway curves the outer and inner rails are always laid at different levels and consequently there will result an irregularity in the road surface.

The most important reason is however the following:-

At all crossings there is provided a guard rail the function of which is to prevent obstructions from lying in contact with the running rail in such a way as to interfere with the free passage of the flange of a Railway vehicle. It is not uncommon for a stone to become wedged in the space between the guard and running rails and while on a straight track it is usual for the Railway wheel to crush the stone and pass over safely, on curved tracks there is the danger of the flange of the wheel being lifted by the obstruction so that it loses grip on the rail and moves off the track at a tangent with consequent derailment.

8. There should be at least 300 metres of unrestricted view along the Railway line from the crossing place, in both directions and there should be nothing to obstruct the view of road users after they have reached a point on the crossing road, 150 metres from the actual point of its intersection with the Railway.

9. The siting of crossing places in or at the end of Railway cuttings and where the Railway runs on a high embankment, should be avoided.

SCALE OF CAMP & OFFICE EQUIPMENT.

Serial No.	Item.	A.S.O.	Field Clerk.
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A. PERSONAL EQUIPMENT.

1	Tent or Hut	1	1
2	Bedstead	1	1
3	Bath - Canvas	1	1
4	Washstand Iron	1	1
5	Toilette Set (complete set)	1	1
6	Tables - 4 ft. (living)	1	1
7	Chairs - Rhoorkhie	1	1
8	Chairs - iron folding (living)	1	1
9	Boot Scrapers	1	1
10	Buckets zinc	1	1
11	Tubs - Washing zinc	1	1
12	Lamp Hanging	1	1
13	Mosquito nets	1	1

B. CAMP EQUIPMENT.

Field Party.

1	Kitchen Hut	1
2	Latrine Hut	1
3	Tent - (C.D.L. or Circular)	1
4	Chest - Kit	1
5	Stoves - Primus	2
6	Meat safe	1
7	Kitchen utensils (complete set)	1
8	Bucket - Latrine	1
9	Seats - Latrine	1
10	Lamps - Hurricane	2
11	Tools - (sets)	1
12	Fire Extinguishers	1

C. OFFICE EQUIPMENT.

	S.O. of Area.	Field Party.	Advance Partition Officer.
1	Office Hut	-	1
2	Desks	1	-
3	Armchairs	1	-
4	Shelves filing (large)	1	-
5	Shelves filing (small)	2	-
6	Portable Cupboards	2	1
7	Tables - folding 6 ft.	2	-
8	Tables - folding 4 ft.	1	2
9	Chairs - iron	5	4
10	Forms - 8 ft.	2	1
11	Letter trays	8	4
12	Wastepaper - Baskets	3	2
13	Hat Racks	2	-
14	Stoves heating	2	1
15	Boot Scrapers	1	-
16	Cash-Chests	-	-

	Central Office.	S.O. of Area.	Field Party.	Advance Partition Officer.
17 Boxes - iron	-		1	-
18 Racks - Stationery	1		1	-
19 Measuring - Tapes	1		1	1
20 Portfolios - Leather	1		1	1
21 Case tin maps	1		1	1
22 Map frame with cover	1		1	-
23 Travelling chests	1		-	-
24 Camp, table	2		1	-

D. TYPEWRITERS & CALCULATING MACHINES.

1 English - long carriage	5	-	-	-
2 English - short carriage	1	1	-	-
3 Arabic	1	1	-	-
4 Hebrew (except Gaza)	1	1	-	-
5 Calculating machines	2	-	-	-

E. RULERS SCALES.

1 1/625	-	1	-
2 1/1,000	-	-	1
3 1/1,250	1	1	-
4 1/2,000	1	1	1
5 1/2,500	1	1	1
6 1/5,000	-	-	-

F. REFERENCE BOOKS & PUBLICATIONS.

1 Dukhan's Statement of Land Law & Index	1	-	-
2 Bentwich Legislation of Palestine	1	-	-
3 Tute's Ottoman Land Law	1	-	-
4 Ottoman Code of Civil Procedure	-	-	-
5 General Regulations	1	-	-
6 Financial Regulations	1	-	-
7 Stores Regulations	1	-	-
8 Colonial Regulations	-	-	-
9 Translation System	1	1	1
10 Bible	1	1	-
11 Quran	1	1	-
12 Torah	1	1	-
13 Land Settlement Regulations & Ordinances	1	1	1
14 Administrative Instructions	1	1	1
15 Bound Books of Ords. Proclamations	1	-	-
16 Official Gazettes English	1	1	1
17 Official Gazettes Arabic	1	-	-
18 Official Gazettes Hebrew	1	-	-
19 Stamp Duty Ordinance	1	1	-

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<u>Serial No.</u>	<u>I t e m.</u>	<u>S.O. of Area.</u>	<u>Field Party.</u>
G. RUBBER STAMPS.			
1	Settlement Officer, Settlement Area	1	-
2	LAND SETTLEMENT	1	-
3	REGISTERED	1	-
4	CONFIDENTIAL	1	-
5	Settlement Officer Name Stamp	1	-
6	URGENT	1	-
7	Asst. Settlement Officer area Village Field Party.	-	1
8	Verified & returned to Director of Surveys. Date 19 signed	1	-
9	Document Receipt No. date Stamp Duty Verified Receiving Officer.	1	1
10	LAND SETTLEMENT. No. _____ Date _____ Reg. _____ SETTLEMENT AREA)	} Round Stamp. 1	-
11	ENGLISH TRANSLATION NOT INSERTED BY CLAIMANT.	-	1
12	RECORDED, READ OUT, and SIGNED BEFORE ME AT _____ ON _____	1	-
13	No. _____/5 Date _____ 19 Extension of the authority contained in my letter No. _____/5 dated _____ 19 is hereby granted for the period of _____ days from this date. Original to Land Reg. _____ Copy to the Application. SETTLEMENT OFFICER, Copy to Asst. S.O. _____ SETTLEMENT AREA.	1	-
14	LAND SETTLEMENT OFFICER, SETTLEMENT AREA. Arabic and Hebrew.	1	-
15	CLAIM PUBLICLY INVESTIGATED AT _____ ON _____	1	-

APPENDIX VI.

(Ref. Adm. Inst. 1947)

STANDARD ISSUES OF STATIONERY
SUPPLIES.

Index No.	Description.	Unexpended.	Half Yearly.	Yearly.
2	Hand blotters	1 to each clerk.	-	-
3	Blotting pads	1 to each S.O.	-	-
10	Brushes, Typewriter	-	-	1 for two typewriters.
11	Brushes, typewriter, tooth shape.	-	-	1 ditto.
13	Carbon paper, typing	-	200 sheets to each typewriter.	-
18	Diaries	-	-	1 to each Senior Official & Chief Clerk.
19	Dusters, cloth	-	-	1 for each typewriter.
33	File laces	-	1 to each file issued.	-
36-37	Gum bottles and refills	-	-	1 to each Senior Official.
38	Correcting fluid	-	1 bottle for each duplicator.	-
39	Developing fluid	-	ditto.	-
40	Obliterating fluid	-	ditto.	-
51	Ink, blue black	-	40 ozs. to 4 clerks.	-
52	Ink, red	-	20 ozs. to 8 clerks.	-
53-54	Ink powder	-	Similar quantities to items 51 & 52 in lieu.	-
55	Ink pots	1 to each clerk.	-	-
56	Inkstands	1 to each S.O.	-	-
57	Ink, stamping, violet	-	-	1 bottle to each pad.
58	Ink, stamping violet	-	-	ditto.
63	Oil cans, typewriter	-	-	1 to 3 typewriters.

Index No.	Description.	Unexpand- able.	Half Yearly.	Yearly.
64	Oil, typewriter	-	-	1 bottle to each type-writer.
65	Pads, stamping, red	-	-	1 to three clerks.
66	Pads, stamping, violet	-	-	ditto.
75	Blotting paper	-	12 sheets to each clerk.	-
81	Pencils, copying	-	2 to each clerk.	-
83	Pencils, lead	-	2 to each clerk.	-
85	Penholders	1 to each clerk.	-	-
86-90	Pen nibs, assorted	-	-	1 box of 25 to each clerk.
93	Pins, drawing	-	-	1 box to each office.
97-99	Ribbons	-	3 to each typewriter.	-
103	Erasers, pencils	-	-	1 to each clerk.
104	Erasers, typewriter	-	-	1 to each typewriter.

Scale for remaining articles under consideration.

BIRZEIT UNIVERSITY LIBRARY

