

C. B. REEVES, Appellant, vs. **W. S. SPILLER**, Sheriff, Appellee.

LRSC 1; 1 LLR 298

[January Term, A. D. 1897.]

Appeal from the Court of Quarter Sessions and Common Pleas, Grand Bassa County.

Injunction.

This case was brought up to this court on appeal for final trial, from the Court of Quarter Sessions and Common Pleas, Grand Bassa County, and was continued from the January term, A. D. 1896, to this present term. At the call of the case the appellee failed to answer, whereupon the appellant prayed the court for judgment by default.

When a party to a suit before a court of competent jurisdiction fails to appear, either in person or by counsel, on the day assigned for the hearing of said case, such failure is sufficient cause for the opponent to ask for judgment by default. In this case now before the court the appellee has failed to answer, which the court considers tantamount to an abandonment of the cause.

The court therefore adjudges that appellant is entitled to recover against appellee; and also adjudges as final judgment, that appellant recover from appellee all costs in this action. The appellee is hereby enjoined to desist from further disturbing appellant in the matter at issue, and the clerk is hereby commanded to issue a mandate to the judge below, informing him of the action of this court in said case.

Key Description: Appeal and Error (Necessity and requisites of appearance)

Appearance (Failure to appear)