

SCANSHIP (LIBERIA) INC., represented by its authorized representative, Appellant, v. **CHARLES FREEHART et al.** and **CHARLES TARN**, Hearing Officer, Ministry of Labour, Appellees.

JUDGMENT WITHOUT OPINION

Decided February 26, 1993.

At the call of this case, appellee's counsel, Counsellor Frank W. Smith of the Dugbor Law Firm, informed to the Court that he had filed a motion to dismiss the appeal.

The motion states in essence that the purported bond was erroneously filed without sureties affidavit describing therein by the metes and bounds of the property of the sureties to the bond thus rendering the said bond fatally effective.

The appellant was represented by Counsellor David D. Kpomakpor of the Sherman & Sherman Law Offices who made the following record:

"Counsel for appellant/respondent, Counsellor David D. Kpomakpor of the Sherman & Sherman Law Offices, concedes the legal soundness of the averment contained in the motion. And respectfully submits".

After a careful consideration of the records made by appellant's counsel, it is hereby adjudged that the motion be and the same is hereby granted and the appeal is dismissed. The Clerk of this Court is instructed to send a mandate to the trial court ordering the judge presiding therein to resume jurisdiction over this case and enforce its judgment. Costs against appellant. And it is hereby so ordered.

Note: His Honour, James G. Bull, Acting Chief Justice of the Supreme Court of Liberia, being absent on sick leave, did not take part in this matter. Hence did not sign this judgment.