

J. A. TUNING, Appellant, vs. M. A. S. MOREL, Appellee.

LRSC 1; 1 LLR 235

[January Term, A. D. 1891.]

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

Defamation. Damages.

The motion of the appellee to dismiss the case has had the earnest attention of the court. We feel bound to say, as we have before, that it is always the pleasure of the court to entertain and hear the causes of the litigants coming up for relief, and in doing so we feel bound down to the laws of the land and the rules and practice of the court, with which we think the motion under consideration is in perfect harmony.

Without repeating ourselves too frequently, we say, this court has fully declared in former judgments rendered in the cases *Minis vs. Crayton*, *H. Cooper vs. McGill Bro.*, and *Julia Williams vs. McGill & Bro.*, that there can be no appeal from an interlocutory judgment before final judgment has been rendered; hence there can be no legal appeal from the court below, for refusing to grant a new trial when there was no final judgment rendered in the case. In this case, if the final judgment has been delivered, the appellant has failed to show such in his bill of exceptions, or in any manner to refer to any objection to the final judgment of the court below. For such irregularities the court adjudges that the motion is sustained and the case dismissed, appellant to pay all costs incurred according to law.