

ROSE WILSON, Appellant, vs. **JOHN WILSON**, Appellee.

LRSC 4; 1 LLR 340

[January Term, A. D. 1899.]

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

Divorce.

This case was docketed for trial at this term, and notice of appeal lawfully issued and served. At the call of the case the appellee failed to answer and appear, either in person or by an attorney; whereupon the appellant prayed for judgment by default. The failure of the appellee to follow up the appeal amounts to an abandonment. Therefore, this court sustains the appellant's motion and adjudges that the appellant is entitled to recover in this action with full costs; and further, renders the following final judgment in this case, to wit:

First, this court adjudges that the judgment of the court from which this appeal was taken is hereby reversed and of no legal force whatever. Second, That the matrimonial relation or civil contract of marriage made and entered into between John Wilson and Rose Wilson his wife, is by operation of law dissolved, to all intent and purpose, as if no such contract had ever been entered into between them, and that the said John Wilson and Rose Wilson his wife shall in future be held separate and distinct persons, unconnected by any mystical union or civil contract heretofore existing between them.

And further, the clerk of this court is hereby ordered to issue the proper mandate to the court below, informing it of this judgment, also directing said court to grant the bill of divorcement provided for by Liberia Statutes, Book 1, pages 231-2, as soon as the costs and fees required by law are paid by the parties concerned, or by either of them.