

JIM DOE, Appellant, v. **TOM TOBY**, Appellee.

Action of Debt. On appeal from the Court of Quarter Sessions of Montserrado
County.

This case was tried and finally determined by the Court of Monthly Sessions, Montserrado County, presided over by Judge *R. J. Clarke*.

In the trial below the plaintiff obtained judgment, for the sum of eighty-three dollars, forty-one cents, (\$83.41). The defendant below not being satisfied with the judgment thus rendered against him appeals to this court under the statute laws regulating appeals.

At the call of this case for review, the appellee failed to appear either in person or by attorney, although cognizant of the fact that the case was docketed for this review at this session of court. Whereupon the appellant motions this court for judgment by default. The motion being in consonance with law is sustained.

Therefore this court adjudges that the appellant is entitled to recover.

FINAL JUDGMENT

This court adjudges that the appellant, Jim Doe, for reasons herein stated, recover from the appellee, Tom Toby, all legal cost in this action. And the clerk of this court is hereby ordered to issue a mandate to the court below as to this judgment.

Given under our hands this 10th day of February, A. D. 1909.

By the Court.