

**ALEXANDER LEE, Appellant, vs. THE REPUBLIC OF LIBERIA, Appellee.**

**Libel in Admiralty.**

**LRSC 6; 1 LLR 522**

[January Term, A. D. 1885.]

**MOTION TO DISMISS APPEAL.**

The appellee in the above cause respectfully motions this honorable court to dismiss the case, because, first, the bond of the appellant, sent up as part of the record in this case, is not approved by the judge of the lower court as the law requires; second, because the appellant's bill of exceptions, sent up as a part of the record of said case, is not signed by the judge of the court below as the law requires. All of which the record of said case will prove.

Wherefore the said appellee prays that the case be dismissed.

THE REPUBLIC OF LIBERIA, Appellee,

By W. M. DAVrs, Attorney General pro tent.

**COURT'S RULING.**

This is an appeal case from the Court of Pleas and Quarter Sessions, Sinoe County. On the calling of this case, the appellee made a motion to dismiss it, because the appellant's bill of exceptions and bonds had not the signature of the judge of the lower court.

Upon a careful examination of the record of the court below, we find that this fatal defect exists. This court has expressed before, and now repeats, that the statute laws of Liberia make it necessary that the judge of the lower court sign the bill of exceptions and approve the bond, in all appeal cases granted by him. (See ruling of this court in Lowrie vs. Crusoe Bros. & Co., Feb. 6, 1879.)

For the want of so important a requisite this court will not take jurisdiction over this case; and it therefore rules that appellee's motion is sustained, and that this case be and the same is hereby dismissed. The clerk of this court is hereby commanded, under the rules, to issue the proper mandate to the court below, to the effect of this ruling.

Supreme Court, January Term, 1885.

**Key Description: Appeal and Error (Certificate as to grounds; Effect of subsequent proceeding in court below; Effect of taking appeal or other proceeding; Presentation and reservation of grounds for review; Time when jurisdiction attaches)**