

**J. J. ROSS, Appellant, vs. REPUBLIC OF LIBERIA, Appellee.**

**Specific Performance.**

**LRSC 9; 1 LLR 520**

[January Term, A. D. 1884.]

Before His Honor C. L. Parsons, Chief Justice, and the Honorable Associate Justices.

**MOTION TO DISMISS APPEAL.**

The appellee in the above entitled case most respectfully motions this honorable court to dismiss the above entitled case and rule the appellant to pay all costs, because neither our Constitution nor our laws give any authority to citizens, or others, to bring suit for specific performance against the Republic, and therefore the courts of this Republic have no jurisdiction to try and determine such cases as specific performance; and when such cases are brought, the courts must dismiss them. All of which the said appellee is ready to prove. Wherefore he prays that this case be dismissed and the appellant be ruled to pay all costs of this action. REPUBLIC OF LIBERIA, Appellee, By W. M. DAVIS, Attorney General pro tem.

**COURT'S RULING.**

This case comes up by a bill of exceptions from the Court of Quarter Sessions, Sinoe County. Trial took place at its November term, A. D. 1883, and is here for review.

This court preferred hearing the merits of the case, but as the appellee submitted a motion to dismiss the appeal, alleging that there is no statute giving authority for the maintaining of an action of specific performance against the appellee, its attention is thereto called. In respect to the motion this court says that after careful examination it is of opinion that until the Legislature of the Republic, by statute, grants the right to parties to bring actions of specific performance against the Republic of Liberia ( appellee in this case), such actions cannot be sustained. Therefore this court adjudges that this case is dismissed. Supreme Court, January Term, 1884.