

**In re: THE PETITIONS OF ATTORNEYS J. EMMANUEL WUREH, GEORGE BOIMA GAI SHERMAN, EUGENE A. COOPER, WILLIAM K. GODFREY, JOSEPH A. SELLIE, JOHN MATHIES, MOMOLUE B. TAMBA, GIJZEY KPAHN, GEORGE G. KAYDEE, PAULINE EVELINE COOPER, JOSEPH B. SANDO, FODAY J. MASSAQUOI, IGNATIUS WIAH, JOHN H. DICKERSON, JOHN N. MORRIS, AYUN K. CASSELL, AND VICTORIA E. SHERMAN-LANG PRAYING FOR ADMISSION TO THE BAR OF THE HONOURABLE, THE PEOPLE'S SUPREME COURT AS COUNSELLORS-AT-LAW:**

Heard: January 5, 1982.      Decided: February 5, 1982.

MR JUSTICE MABANDE delivered the opinion of the Court.

Seventeen (17) attorneys-at-law filed separate petitions before this Court for admission into the Bar of the Honourable People's Supreme Court as counsellors-at-law. The petitions contained similar averments and they present common questions of law and fact. We have therefore consolidated the petitions for this opinion.

The records reveal that all of the petitioners entered into the Bar long ago and that they had each practiced law with credit. The history of the practice of law as attorneys-at-law for one of the applicants goes as far back as thirty-three years.

At the hearing of the petitions were present members of The Liberian National Bar Association including its President. No objection was filed against the petition of any of the petitioners. All of the petitioners presented themselves as persons with ardent desire for and faith in the rule of law for the conduct of the civilized affairs of all mankind.

Some of the petitioners are commissioned judges of courts, while others are commissioned Assistant Ministers of Justice and a Deputy Minister of Justice. The commissioned officers also averred in their petitions that as commissioned officers whose public services require their daily attendance to legal duties, they are entitled to be admitted as counsellors at law without being subjected to any other requirements as other applicants who do not enjoy the privilege of public service.

In the case "*In Re: The Petitions of Flaawgaa MacFarland, Isaac C. Nyeplu, Harry T. Faber Nayou et al.*", decided July 31, 1981, this Court held that "Lawyers of this Bar, even though they may hold other positions of public trusts in other offices enjoy no exclusive privileges whatsoever in the discharge of their duties in the judiciary. One of the petitioners for admission as counsellors in that case was the Minister of State for Presidential Affairs, Harry T. Faber Nayou. We therefore hold that neither the commission, public rank nor the academic degree an applicant may hold ipso facto entitles him to admission into the Bar as an attorney-at-law or counsellor-at-law. It is within the sole province of The Liberian National Bar Association and the judiciary to determine, upon proper application, whether a person is eligible for admission before granting his application.

At the call of their petitions for hearing, the witnesses of petitioners John H. Dickerson, John N. Morris and Ayun K. Cassell were all absent. Their witnesses are all counsellors-at-law and therefore they are fully aware of their obligations to this Court and the petitioners. In the case *Faber v. Republic*, 3LLR 69, 71 (1929), this Court held that:

"It is a fundamental rule both in pleading and practice that it is the evidence which supports the allegations or averments in both law and equity proceedings."

It is the evidence alone that enables a court to pronounce with all degree of certainty the judgment concerning the matter in dispute. Without any evidence to support the allegations

of these petitioners, their petitions cannot be heard. The petitions of John H. Dickerson, John N. Morris and Ayun K. Cassell, attorneys-at-law, not being supported by any evidence of their own witnesses are hereby denied.

The petition of Victoria E. Sherman-Lang, attorney-at-law, could not be heard because of her intentional absence from the hearing. Victoria E. Sherman-Lang, attorney at law, having abandoned her petition, same is hereby dismissed with costs against her.

A committee on the Moral and Ethical Conduct of Lawyers composed of the following Counsellors-At-Law was set up by this Court to examine the moral and ethical conduct of each applicant. The names of the members of the Committee are:

Daniel Draper – Chairman

Raymond A. Hoggard - Member

Clarence Harmon - Member

The Committee's report recommended each of the (13) thirteen candidates who reported to them and was found to have possessed creditable record of moral and ethical practice of the law for his admission as counselors-at-law. We are therefore impressed that they have all demonstrated in their official and private lives that they are trustworthy and shall uphold the excellent reputation of this profession.

The Court also set up an Examination Committee composed of the following counsellors-at-law:

Nelson W. Broderick - Chairman

A. Wallace Octavius Obey - Member

J. Dossen Richards - Member

Johnnie N. Lewis - Member

S. Edward Carlor - Secretary

The task of the Examination Committee was to examine the academic qualifications of each of the thirteen (13) applicants. The Committee reported that each of the applicants satisfactorily performed at the examination. Evidently there is steady progress in the academic efficiency of lawyers of this country.

The Court would, however, remind these and all other counsellors-at-law that the object of the law is to ensure social tranquility. Law is the chief instrument for the maintenance of an ordered society. In every case there must be a losing party. Be always courageous even when you lose after an honest defense of your client's cause. Never undertake to defend a cause when you conscientiously know it to be wrong. Advise your clients on the true status of the law. No matter how unpopular a person may be or what his case may be, it is the legitimate right of a lawyer to appear and defend his client's rights even when the controversy is between his client and the judiciary or the State.

The preservation of the law and your personal integrity should be paramount in all your undertakings. Never let money or the dinner plate purchase your intelligence and conscience. Never fear to challenge injustice in any case you may undertake to handle. The right of a single individual is supreme to the wrong of the whole society. Therefore never mingle justice with tricks, for the law is a science that detests wrong doing.

All of the evidence gathered, including the reports of the committees of counsellors of this Bar having, according to our records, supported the applications of the thirteen applicants, we are convinced that they have all met with all of the prerequisites for admission. We therefore affirm the reports of the committees set up by this Court to examine the moral and ethical conducts as well as the academic qualifications of these thirteen applicants.

We therefore hereby admit into the Bar of this Court:

1. Attorney-At-Law, J. Emmanuel Wureh
2. Attorney-At-Law, George Boima Gai Sherman
3. Attorney-At-Law, Eugene A. Cooper
4. Attorney-At-Law, William K. Godfrey
5. Attorney-At-Law, Joseph A. Sillier
6. Attorney-At-Law, John Mathies
7. Attorney-At-law, Momolue B. Tamba
8. Attorney-At-Law, Gijzey Kpahn
9. Attorney-At-Law, George G. Kaydee
10. Attorney-At-Law, Pauline Evelina Cooper
11. Attorney-At-Law, Joseph B. Sando
12. Attorney-At-Law, Ignatius Wiah
13. Attorney-At-Law, Foday J. Massaquoi

and declare them as counsellors-at-law. Each of them is therefore fully eligible to take his oath of admission at the pleasure of the Chief Justice of this Court.

The Clerk of this Court is hereby commanded to send a mandate to all courts of this Republic informing them of this judgment. And it is hereby so ordered.

Petitions granted.