

P. C. BROWN, sole surviving Executor of the Estate  
of JEDA TOR, Appellant, v. THE MONROVIA  
BREWERIES, INC., Appellee.

JUDGMENT WITHOUT OPINION.

Decided June 27, 1975.

*Patrick Sayenneh* for appellant. *Philip Brumskine*  
for appellee.

When this case was called for hearing Counsellor Patrick Sayenneh appeared for the appellant. Counsellor Philip Brumskine appeared for the appellee and prayed that we affirm the judgment of the trial court for the following reasons:

“(1) That in keeping with the Judiciary Law approved May 10, 1971, courts were established in the Country known as Debt Courts with exclusive jurisdiction over actions of debt. Consequently, the Probate Court for Montserrado County could not legally have jurisdiction over this action of debt filed before it in 1974. And being without jurisdiction over the subject-matter, the entire proceedings before the said Probate Court are void.

“(2) That in keeping with the former statute the Probate Courts had jurisdiction over actions of debt where the amounts involved did not exceed \$300.00; so even under the former statutes this action for \$49,000.00 could not have been maintained.

“(3) And also because the Probate Court’s jurisdiction over debt under the Revised Statutes was repealed by the 1956 Code of Laws, which restricted the Probate Court’s jurisdiction in matters of debt to only those debts arising in intestate estates; therefore, under that statute this action of debt growing out of a lease

agreement could not be maintained without violation of the 1956 Code.”

After studying the record certified to us from the trial court, and hearing arguments on both sides, it is adjudged that the judgment of the trial court be and the same is hereby affirmed with costs against the appellant. And the Clerk of this Court is ordered to send a mandate to the lower court to command the judge therein to resume jurisdiction and enforce this judgment. And it is so ordered.