

MARY JALLAH, Appellant, v. H. L. HILL and
REBECCA, Appellees.

JUDGMENT WITHOUT OPINION ON DISMISSAL OF APPEAL.

Decided June 16, 1967.*

No appearance for the parties.

When this case was called for hearing, no one appeared for the appellant nor the appellees. At this stage, the Marshal was called upon by the Court to say whether or not the parties, who are residents of Grand Bassa County, were notified of the hearing of the said case, and he informed the Court that he had been told by the Deputy Marshal of Grand Bassa County, that they could not be located, and that Samuel W. Payne, counsel for the appellant, had stated that he also could not say where the parties were residing at the present. After considering the information given by the Marshal, it is hereby

ADJUDGED

that inasmuch as this case has lingered on the docket of this Court since the October 1962 Term and for each and every succeeding term of Court, and counsel for appellant having refused to appear for the hearing of the said case, or filed the necessary application for continuance, according to the Rule of Court, and this Court not being authorized to continue a case from term to term without application being made therefor, and being convinced that said counsel is not inclined to appear and represent the interest of his client as the Ethical Code requires, and further being that the Rule of this Court provides punishment for negligent counsel, the Court has no alternative

* The Chief Justice was not present when the case was called and took no part in its consideration or this decision.

but to order the case stricken from the docket with costs against appellant, and because of the willful negligence of appellant's counsel, Samuel W. Payne, impose a fine of \$50.00 upon him, to be paid to the Marshal of this Court or his deputy, immediately after the judgment in this case is rendered. And it is hereby so ordered.