

ARMENA MOULTON, Appellant, v. **REPUBLIC OF LIBERIA**, Appellee.

RE-SUBMITTED FEBRUARY 17, 1911. DECIDED FEBRUARY 24, 1911.

Toliver, C. J., Wood and McCants-Stewart, JJ.

When the evidence is clear and the trial regular, the judgment will not be disturbed.

Mr. Chief Justice Toliver delivered the opinion of the court:

Arson—Appeal from Judgment. This case comes up on a bill of exceptions from the Court of Quarter Sessions and Common Pleas for Montserrado County, at its September term, A. D. 1911.

The material facts contained in the records are that on the 30th of April A. D. 1909, Armena Moulton, the appellant, at the settlement of Virginia, Montserrado County, set fire to and burnt down a dwelling house belonging to one A. B. Moulton. The trial of the cause was regularly conducted in the court below, and a verdict and judgment was recorded against the appellant. According to the records the statements of the witnesses in the cause were explicit and in no way showed any ambiguity. According to our law, arson is the wilful and malicious burning of a dwelling house as defined by the criminal code. The witnesses in their statements said the house burnt was the place of abode of one A. B. Moulton and his family, and that it was a permanent structure: hence the court and jury could arrive at no other conclusion.

The court, therefore adjudges, that the judgment of the lower court be affirmed; and that a mandate be issued to the court below as to the effect of this affirmation.

C. B. Dunbar, for appellant.

C. D. B. King, Attorney General, for appellee.