

C. L. ROSS, Appellant, vs. **J. B. CLARK**, Appellee.

[January Term, A. D. 1903.]

Appeal from the Court of Quarter Sessions and Common Pleas, Sinoe County.

Debt.

This cause was tried and determined by the Court of Quarter Sessions and Common Pleas of Sinoe County, and judgment was given in favor of the plaintiff, now appellee. The appellant, then defendant, being aggrieved, and considering that injustice had been done to her, brought the said action to this supreme jurisdiction for review, upon a writ of certiorari. When the cause was called up for review on the 23rd of January (the 10th day's session of the Court), appellee did not answer, either in person or by counsel, notwithstanding a legal call was made by the marshal at the door of the court. Consequently the appellant, taking advantage of the neglect of appellee, exercised her legal right and prayed the court for judgment by default, which the court granted, being warranted in doing so by statute law.

The court adjudges that the appellant recover from the appellee the sum of forty dollars and twenty-five cents for her debt, and all costs in this action. The clerk of this court is hereby ordered to send a mandate to the judge of the court of Sinoe County, of the final conclusion of this matter.