

HARRY WALLEY, Appellant, v. WILLIE ISAAC,
Appellee.

MOTION TO VACATE JUDGMENT IN AN APPEAL FROM THE DEBT COURT,
SINOE COUNTY.

Argued April 30, 1970. Decided June 12, 1970.

1. Under the Laws of 1967-8, establishing the Debt Court in the Republic of Liberia, jurisdiction only obtains therein when the amount sought in an action of debt is \$2,000.00 or more.

The appellee sued in the Debt Court for the sum of \$585.00, which was awarded to him by the trial court. The appellant moved the Supreme Court to vacate the judgment obtained on the ground that the Debt Court lacked jurisdiction over the subject matter of the action by reason of the insufficiency of the debt alleged. *Motion granted*, judgment vacated.

Clarence O. Tuning for appellant. No appearance for appellee.

MR. JUSTICE ROBERTS delivered the opinion of the Court.

In Greenville, Sinoe County, Willie Isaac, appellant in this case, sued out an action of debt by involuntary proceedings against Harry Walley, the appellee. The case was heard in the Debt Court, Sinoe County, and plaintiff, now appellee, was awarded \$585.00, the amount sued for by him.

Defendant took exception to the judgment and has moved this Court to "vacate, nullify and to render void the lower court's judgment for want of jurisdiction over the parties and subject matter."

There are several issues raised by appellant. His bill

of exceptions, containing 57 counts, was condensed in his brief filed before us and consists of 7 counts.

The main arguments of appellant are directed at the nature of the action and the amount sued for, which was less than \$2,000.00.

The law applicable to this proceeding provides:

“The Debt Court shall have conclusive original jurisdiction in all debt cases in which the amount of the debt is \$2,000.00 or more.” L. 1967-68, An Act to amend the Judicial Law to provide for Debt Courts in all the counties and territories of the Republic of Liberia, § 2.

The motion, therefore, is hereby granted and the judgment ordered vacated, with costs against appellee. And the Clerk of this Court is hereby ordered to send a mandate to the court below informing it of this judgment. And it is hereby so ordered.

Motion vacating judgment granted.