

JAMES E. A. DAVIES, Appellant, v. LIBERIAN-AMERICAN-SWEDISH MINERALS COMPANY, by and through its Acting General Manager, SIGURD THORELL, Appellee.

JUDGMENT WITHOUT OPINION ON APPEAL IN ACTION FOR DAMAGES FOR MALICIOUS PROSECUTION.

Decided December 15, 1961.*

Counsellors who fail to appear on assignment of hearing of an appeal before the Supreme Court are subject to disciplinary penalties.

E. Winfred Smallwood and Albert D. Peabody for appellant. *Richard A. Henriès* for appellee.

When this cause was called for hearing, appellant did not appear, even though notified so to do. After considering the provisions of Rule IV, Part 6, of the Revised Rules of the Supreme Court as relied on by appellee, it is hereby

ADJUDGED:

That the appeal taken by the appellant be, and the same is hereby dismissed with costs against the appellant; and for the disobedience shown the Supreme Court's written assignment by Counsellors E. Winfred Smallwood and Albert D. Peabody, counsel of record for appellant, they are hereby fined in the sum of \$10 each. And the clerk of this Court is ordered to send a mandate to the court below informing it of this judgment.

Given under our hands and the seal of the Supreme Court of Liberia this 15th day of December, 1961.

[Sgd.] A. DASH WILSON, SR.,
Chief Justice, Supreme Court of Liberia.

* Mr. Justice Pierre was absent from the country and took no part in this case.

[Sgd.] DESSALINE T. HARRIS,
Associate Justice, Supreme Court of Liberia.

[Sgd.] LAWRENCE E. MITCHELL,
Associate Justice, Supreme Court of Liberia.

[Sgd.] WILLIAM E. WARDSWORTH,
Associate Justice, Supreme Court of Liberia.