

CASES ADJUDGED
IN THE
SUPREME COURT OF THE
REPUBLIC OF LIBERIA
AT
NOVEMBER TERM, 1934.

JOHN F. DAVIES, Petitioner, *v.* REPUBLIC OF
LIBERIA, Respondent.

PETITION FOR A WRIT OF MANDAMUS.

Decided December 7, 1934.

On petition for a writ of mandamus to compel release
of prisoner on bond, *application refused.*

G. Randolph Gibson for petitioner.

Judgment without opinion.

This is a proceeding in which G. Randolph Gibson, attorney-at-law, filed an application during the November term, 1933, with this Court, praying that a writ of mandamus might issue, directed to His Honor, Aaron J. George, Circuit Judge who had been by assignment presiding in the Fourth Judicial Circuit at the August term, 1933, commanding him to approve a bond, which had been presented to him for the payment of the fine imposed in this case, and to release the petitioner from further custody.

Instead of issuing the writ prayed for, the Court issued a notice to the said Judge to show cause why said writ

should not issue. Accordingly the said Judge, before his unfortunate demise on April 2nd last, had filed his returns, which were docketed for trial at the April, 1934, term of this Court; but neither petitioner nor the other respondent appeared, and His Honor, the Judge, having passed into eternity the very morning the Court convened, could not.

When called at the present November term again, neither party appeared, although duly notified, whereupon the Court considered the record before us, without aid of counsel on either side, and has reached the conclusions which follow: (1) that a mandate should be sent to the Circuit Judge of the Fourth Judicial Circuit, directing that John F. Davies, petitioner in this matter, be considered as having been imprisoned to comply with the sentence of the court in paying the fine of fifty dollars and making restitution of five hundred and twenty dollars and fifty-six cents as and from the date that he was first incarcerated; and (2) that said fine and restitution should be computed at the rate of twelve dollars per month as and from the date of his said imprisonment. Upon the effluxion of time he will be released from further detention and confinement unless in the interval he, by payment of the balance that may be due on account of the fine and restitution, will have been thereby previously discharged.

Given under our hands and the seal of court
this 7th day of December A. D. 1934.

[Sgd.] L. A. GRIMES,

Chief Justice, Supreme Court of Liberia.

[Sgd.] S. JEROME DOSSEN,

(L.S.) *Associate Justice, Supreme Court of Liberia.*

[Sgd.] SAMUEL J. GRIGSBY,

Associate Justice, Supreme Court of Liberia.

[Sgd.] R. EMMONS DIXON,

Associate Justice, Supreme Court of Liberia.

[Sgd.] M. NEMLE RUSSELL,

Associate Justice, Supreme Court of Liberia.