

IN THE HONORABLE SUPREME COURT OF THE REPUBLIC OF LIBERIA  
SITTING IN ITS MARCH TERM, A.D. 2026

BEFORE HIS HONOR : YAMIE QUIQUI GBEISAY, SR.....CHIEF JUSTICE  
BEFORE HER HONOR: JAMESETTA H. WOLOKOLIE.....ASSOCIATE JUSTICE  
BEFORE HIS HONOR : YUSSIF D. KABA.....ASSOCIATE JUSTICE  
BEFORE HER HONOR : CEATNEH D. CLINTON-JOHNSON.....ASSOCIATE JUSTICE  
BEFORE HIS HONOR: BOAKAI N. KANNEH.....ASSOCIATE JUSTICE

The Intestate Estate of S. B. Nagbe, by and thru its administrators )  
and heirs Sarah Nagbe Wilson, Christiana Nagbe Jallah, and )  
Emmanuel Nagbe, of the City of Monrovia, Liberia.....Appellant )

Versus ) APPEAL

The Intestate Estate of Nabil P. Hage, thru its administrators )  
Gloria G. Hage, Maetta Hage Brown, et al also of the City of )  
Monrovia, Liberia ..... Appellee )

GROWING OUT OF THE CASE:

The Intestate Estate of Nabil P. Hage, thru its administrators )  
Gloria G. Hage, Maetta Hage Brown, et al also of the City of )  
Monrovia, Liberia.....Movant )

Versus ) MOTION TO

The Intestate Estate of S. B. Nagbe, by and thru its administrators )  
and heirs Sarah Nagbe Wilson, Christiana Nagbe Jallah, and )  
Emmanuel Nagbe, of the City of Monrovia, Liberia.....Appellant )

GROWING OUT OF THE CASE:

The Intestate Estate of S. B. Nagbe, by and thru its administrators )  
and heirs Sarah Nagbe Wilson, Christiana Nagbe Jallah, and )  
Emmanuel Nagbe, of the City of Monrovia, Liberia.....Plaintiff )

Versus ) ACTION TO

The Intestate Estate of Nabil P. Hage, thru its administrators )  
Gloria G. Hage, Maetta Hage Brown, et al, also of the City of )  
Monrovia, Liberia .....Defendant )

HEARD: November 19, 2025

DECIDED: May 20, 2026

MADAM JUSTICE WOLOKOLIE DELIVERED THE OPINION OF THE COURT

The Intestate Estate of S. B. Nagbe, the appellant, by and through its administrators,  
Christiana Nagbe-Jallah et al, in 2013, commenced an action in the Sixth Judicial Circuit, Civil

Law Court, Montserrado County to remove cloud and quiet title against the Intestate Estate of Nabil Hage, represented by its administrators, Gloria G. Hage *et al.*

In its complaint, the appellant alleged that it is the owner of a five-acre parcel of land situated on Bushrod Island, with several buildings erected thereon, including the one housing the K & K Trading Corporation; that the appellant acquired the said property from the Government of Liberia through an aborigine grant deed dated 1931, and has notoriously inhabited and developed the property for decades without contention from anyone; that in 1983, about fifty-five (55) years of consistent occupation, it entered a lease agreement with a Lebanese National, Kamal Halabi, for the construction of the K & K Building on said property; that after the completion of the construction, they executed three (3) addenda to the original lease agreement, and in 1999, sixteen (16) years after the execution of the lease agreement, Kamal Halabi assigned his leasehold rights to Chewki Kadouh, appellant's current tenant, who now occupies the K & K building, paying the rental, real estate taxes and other levies on the property in the appellant's name.

The appellant states that in 2013, when its rental payment was due pursuant to the 1983 agreement, Chewki Kadouh refused to honor its obligation on grounds that the appellee, the intestate estate of Nabil Hage, had presented itself as the new owner of the subject property; that based on the refusal of Chewki Kadouh to pay the appellant's rent, appellant filed before the Debt Court for Montserrado County an action of debt against Chewki Kadouh, claiming the amount of Six Thousand United States Dollars (US\$6,000.00) as rental arrears.

The appellee filed a motion to intervene in the matter, claiming ownership to the subject property on grounds that it had purchased said property from the administrators of the intestate estate of Chief Murphy Sone and residents of Vai Town, whose ownership was based on two Supreme Court Opinions: *RL v. Morvee Sone et al*, 35 LLR 126 (1988) and *Boima Larley et al, v. Alhaji Varmuyah Corneh, et al*, 36 LLR 255 (1989); that the appellee had earlier filed a debt action against the K & K Trading Corporation for the same property in the Debt Court of Montserrado County during the tenure of Judge Mathis as the Debt Court Judge and obtained judgment in its favor.

The Debt Court, presided over by Judge James E. Jones, denied and dismissed the appellee's motion to intervene, but the appellant says that the appellee has continued to interfere with his tenants without showing any evidence that the appellant was a party to the referenced cases between *Chief Murphy and Vey John's People v Alhaji Varmuyah Corneh et al.*, or that appellant is occupying portion of the twenty-five acres of land out of which the alleged cancellation proceedings grew, and predicated upon the appellee's continuous

interference, appellant filed this action to remove cloud and quiet title, and claiming Seventy-Five Thousand United States Dollars (US\$75,000.00) for damages.

On September 13, 2013, the appellee filed along with its amended answer, a motion to dismiss the appellant's complaint, contending primarily that the Civil Law Court is without jurisdiction over matters growing out of the twenty-five (25) acre parcel of land situated in Vai Town, Bushrod Island, on ground that the Supreme Court's Opinions: *Boima Larley et al, v. Alhaji Varmuyah Corneh, et al*, 36 LLR 255 (1989), and *RL v. Morvee Sone, et al*, 35 LLR 126 (1988), had declared that said parcel of land belongs to the Estate of Murphy Veh John, and a Mandate to that effect was executed/enforced by the said Civil Law Court presided over by Judge J. Henrique Pearson, and has since put the Murphy Veh John Estate in possession of the subject property. The appellee asserted that if the Civil Law Court entertained any argument into said matter would amount to reviewing the Supreme Court's decisions of 1988 and 1989 which is not legally tenable in this jurisdiction; that the appellant requesting the court to remove cloud over the piece of property suggests that the appellant is not certain and is unsure of its ownership/title to said property and that the appellant while seeking relief through equity could not make claims for monetary damages as a matter of law.

On September 28, 2013, the appellant filed along with its amended reply, a resistance to the appellee's motion to dismiss its complaint, sternly denying the contentions raised in the appellee's answer and motion, and further maintained that it was never a party to any of the cases referenced by the appellee and therefore could not be bound by the decisions emanating therefrom. The appellant further argued that it is the legitimate owner of the subject property and has been in possession ever since it acquired same, and has never been evicted from said property by any court order; that the assertions contained in the appellee's motion to dismiss are all misrepresentation of the facts, and that there has never been any formal survey to demarcate the disputed 25 acres of land for reason that heirs of both Murphy Veh John and Vamuyah Conneh had always disrupted the survey process thus obstructing execution of the said Mandate of the Supreme Court; that the appellant having reported to the Civil Law Court the interference by the heirs of Murphy Veh John into the appellant's property on account of the Supreme Court's Opinion, Judge Henrique Pearson ordered that, heirs of Murphy Veh John and heirs of S. B. Nagbe remain within their respective boundaries until the matter pending before the Supreme Court was determined. The appellant therefore prayed the trial court to deny and dismiss the motion to dismiss its complaint and rule the case to trial on its merits.

The trial judge entertained arguments into the motion to dismiss the appellant's complaint and granted same, determining that if there is an attempt to conclude the appellant by the judgment of the Supreme Court, or if appellant's property is affected by the said judgment to which it was never a party, the proper action was not a bill in equity to remove cloud and quiet title, but a bill of information properly filed with the Supreme Court, seeking permission to revisit its judgment; that the Civil Law Court is subordinate to the Supreme Court of Liberia, and it therefore has no authority whatsoever to remove cloud growing out of the Judgment of the Honorable Supreme Court, it is only the Supreme Court that has such authority to remove cloud on its own Judgment. The trial judge held that the bill in equity to remove cloud and quiet title was technical, and was intended to review the decision of the Supreme Court, and the ruling of his predecessor, a judge of concurrent jurisdiction, therefore the court had no option but to dismiss the case.

Not satisfied with the trial court's final ruling, the appellant noted exception thereto, announced an appeal to the Honorable Supreme Court, and thereafter, on July 20, 2018, filed its bill of exceptions, which, from our review, generally restates the contentions raised in its reply and resistance to the appellee's motion to dismiss, that were allegedly overruled by the trial judge.

From our review of the records, and the arguments advanced by the counsels representing the parties, we ask whether the trial judge erred when he denied and dismissed the appellant's action filed to remove cloud from title, based on the Supreme Court's Opinions of 1988 and 1989?

This Court takes judicial notice of a prolong controversial land issue relating to twenty-five (25) acres of land lying in Vai Town, Bushrod Island, Montserrado County, by and between the heirs of Chief Murphy and Vai John People, and Alhaji Abraham Varmuyah Corneh, Alhaji Sondifu et al. In the matter referenced, codified in the Liberian Law Report as *Lartey et al. vs Corneh*, 36 LLR 255 (1989), the Republic of Liberia issued an Aborigine Land Grant Deed to Chief Murphy, Vai John and Vai John People in 1906; that subsequently in 1931, the Republic of Liberia issued another Aborigine Land Grant Deed to Alhaji Abraham Varmuyah, Alhaji Sondifu et al. for the identical twenty-five acres of land in Vai Town. The execution of the two deeds gave rise to a prolong and protracted litigation between the two separate grantees, and because of the protracted court proceedings and the public disturbances often orchestrated by the two groups in the Vai Town community, the President of Liberia appointed a committee to probe into the matter and to find which group was the rightful owners of the disputed twenty-five acres of land. The committee reported that the descendants of Chief Murphy and John Vai People, owners of the 1906 deed, were the rightful owners of the land in dispute and the

President approved the report and instructed the Ministry of Justice to institute a cancellation proceeding in respect of the 1931 deed. Upon application by the Ministry of Justice, the said 1931 deed was canceled by the Sixth Judicial Circuit, Civil Law Court, Montserrado County; that thereafter, the descendants of Alhaji Varmuyah and Alhaji Sondifu et al. appealed the matter to the Supreme Court. The Court affirmed the cancellation of the 1931 Aborigine Land Grant Deed, holding that where parties contesting title to real property derive their respective rights from the same source, the party showing the prior deed is entitled to the property. Consequently, the Supreme Court affirmed the cancellation proceedings in the Civil Law Court and the descendants of Chief Murphy, John Vai and John Vai People with the 1906 deed were ordered placed in possession of said 25 acres of land, and recognized as the legitimate owners of twenty-five acres of land located in Vai Town, Bushrod Island.

The appellant, the Intestate Estate of S. B. Nagbe, has asserted that it was never a party to the Vai Town land case of 1988, neither was it ever brought under the jurisdiction of the trial court; that it also possesses twenty-five acres in Vai Town which it had notoriously occupied and possess since 1931 without molestation, and was never evicted by a court's decree; therefore, it should not be affected by the decision of the Supreme Court in the case between Chief Murphy, Vai John and Vai John People, and Alhaji Abraham Varmuyah, Alhaji Sondifu et al.

We note the comments of one of the counsels for the appellee in response to questions posed to him from the Bench during arguments before the Court. The counsel confirming the assertion by the appellant answered to the following questions posed:

Q. was the appellant a party to the Vai Town land case"?

A. No, Your Honors".

Q. Did the appellant acquire the property from any of the parties in the Vai Town land case?

A. No, Your Honors. The appellant was evicted because the property the appellant occupied falls within the 25 acres of land that the Supreme Court ruled is owned by the estate of Chief Murphy and Vey John.

The appellant says that though the Supreme Court finally settled the dispute regarding the rightful owner of twenty-five acres of land by and between Chief Murphy, Vai John and Vai John People and Alhaji Abraham Varmuyah, Alhaji Sondifu et al. in the Vai Town area, actual possession never took place because the survey to demarcate the twenty-five acres was always obstructed by members of the Alhaji Abraham Varmuyah, and Alhaji Sondifu *et al.* families.

The Court observes in the records of this file several communications relating to the enforcement of the Supreme Court's ruling assigning Chief Murphy, John Vai and John Vai People as the legitimate owner of the twenty-five (25) acres of land in Vai Town. Below are several communications found in the file:

(1)

"JUDICIAL BRANCH  
CIVIL LAW COURT

January 23, 1990

Mr. P.K. Hage  
P.G. West Brand  
Monrovia, Liberia

Dear Mr. Hage:

His Honour J. Henric Pearson, Presiding Judge of the Civil Law Court, Sixth Judicial Circuit, Montserrado County, Sitting in its December Term A.D. 1989, has ordered me to inform you that in view of the fact that the Estates of the late S.B. Nagbe, John P. Smith, Joseph Dunbar and Mr. Toh were not parties to the Ejectment Action brought by Boimah Lartey and J. D. Lassannah *et al.* against Varmuyah Corneh *et al.*, and also because the Supreme Court's Decision of July 14, 1989, did not include them, his Orders of September 6, 1988, that the rent arrears be paid to Boimah Lartey and J.D. Lassannah is hereby revoked.

In view of the above, you are ordered to pay all rent arrears and future rents to the heirs of the late John P. Smith, Joseph Dunbar, S.B. Nagbe and Mr. Toh upon receipt of this order until otherwise ordered by the Supreme Court.

Upon your failure to obey these orders you shall be held in contempt.

Irene Ross-Railey  
CLERK, CIVIL LAW, COURT, MO. CO. R.L

APPROVED: J. HENRIC PEASON, JUDGE PRESIDING."

(2)

"JUDICIAL BRANCH  
CIRCUIT COURT

JUDGES CHAMBERS  
REPUBLIC OF LIBERIA

REPUBLIC OF LIBERIA )  
MONTSERRADO COUNTY ) IN THE CIVIL LAW COURT FOR THE SIXTH  
JUDICIAL CIRCUIT MONTSERRAD COUNTY  
SITTING IN ITS DECEMBER TERM, A.D.1989

BEFORE HIS HONOUR: J. HENERIC PEARSON.....ASSIGNED CIRCUIT JUDGE

IN RE THE CASE: Boima Lartey )

J. D. Lassana, et. al..... Plaintiffs )

Versus )

Alhaji Varmuyah Corneh, Alhaji )  
Bondifu Sonii, et. al., ...Defendants )

ORDERS OF COURT:

There has been a misinterpretation of the orders of this Court issued on the issue of the Property J. D. Lasana, et. al, situated and lying in Vai town, this order is the clarification of the Court's previous orders.

It is hereby ordered than any person or persons failing within the 25 acres of land owned by Messrs. Boima Larthey and J.D. Lassana are requesting to contact these two gentlemen for permission to continue the occupancy within the said 25 acres of land, and failing to do so should quietly leave or could face eviction proceedings.

The Honorable Supreme Court has already declared this 25 acres of land to be the property of Boima Larthey and J. D. Lassana.

It is observed further that the heirs of the late John Peine Smith, J. F. Dunbar Christiana Nagbe Jallah *et al.* are claiming title within the 25 acres of land declared by the Supreme Court of Liberia to be the property of Boima Larthey and J.D. Lassana, by virtue of a Public Land Sale Deed of 1906, recognized by the Supreme Court as being the genuine deed.

This Court therefore advise that all person or persons finding themselves within the 25 acres of land given to Boima Larthey and J.D. Lasana in keeping with the Supreme Court's Judgment, must find themselves as tenants of the Boima Larthey and J.D. Lasana property, or be evicted.

This final ruling must be placarded in every auspicious building within the 25 acres of land. AND SO ORDERED.

Given under my hand in Chambers  
this 6th day of March A.D. 1990

J. Henric Pearson  
ASSIGNED CIRCUIT JUDGE, CIVIL LAW COURT  
TEMPLE OF JUSTICE.

ATTESTED: Irene Ross-Railey  
CLERK, CIVIL LAW COURT  
MONTSERRADO COUNTY, R.L. "

(3)

"JUDICIAL BRANCH  
CIRCUIT COURT

JUDGES CHAMBERS  
REPUBLIC OF LIBERIA

REPUBLIC OF LIBERIA )  
MONTSERRADO COUNTY ) IN THE CIVIL LAW COURT FOR THE SIXTH  
JUDICIAL CIRCUIT MONTSERRAD COUNTY  
SITTING IN ITS DECEMBER TERM, A.D.1989

ORDERS OF COURT

This Court has observed that the S.B. Nagbe Estate has filed an information growing out of the court's order issued on the 6<sup>th</sup> day of March A.D. 1990, ordering all person or persons falling within the 25 acres of land owned by, Boimah Larty and J.D. Lassanah to contact the two gentlemen for permission to continue occupancy within the disputed 25 acres area-and failing to do so would face eviction.

In consideration of the issue raised by the Nagbe Estate, this court therefore advises that the Boimah Lartey heirs and J. D. Lassannah heirs and the Nagbe heirs return to status quo ante pending the determination of the issue raised before this Honorable court by the Nagbes. It is this Court's ruling that this order be placarded on every auspicious building within the 25 acres of land and the contested P.K. Hage building. AND SO ORDERED.

Given under my hand in Chambers  
this 14th day of March A.D. 1990

J. Henric Pearson  
ASSIGNED CIRCUIT JUDGE  
CIVIL LAW COURT  
TEMPLE OF JUSTICE.

ATTESTED: Irene Ross-Railey  
CLERK, CIVIL LAW COURT  
MONTSERRADO COUNTY, R.L. "

We see another communication from the Probate Court of Montserrado County, dated March 21, 2000, and it reads:

"Republic of Liberia ) In This Monthly and Probate Court for Montserrado  
Montserrado County ) County Sitting in its March Term, A.D. 2000

Before His Honor: John L. Greaves ..... Judge, Monthly and Probate Court

This is to certify and confirm by this Monthly and Probate Court for Montserrado County, Republic of Liberia, that the late S. B. Nagbe properties, that is, K & K Building, Vai Town, Montserrado County, Republic of Liberia, is not part and parcel of the 25 acres of land in the Vai Town land dispute; and accordingly, does not operate within the periphery of the 25 acres of land in Vai Town land dispute.

This position is based upon a land survey duly conducted by the Ministry of Land and Mines, Republic of Liberia by orders of this Court, at the disputed site in Vai Town, Monrovia Liberia.

This being the properties named and part and parcel only pf S.B. Nagbe Intestate Estate.

And hence this certificate of the clerk.

GIVEN UNDER MY HAND AND SEAL OF

COURT THIS 21<sup>ST</sup> DAY OF MARCH  
A.D. 2000

CLERK'S SEAL

S. PETER DOE-KPAR  
CLERK, MONTHLY AND PROBATE COURT  
MONTERRADO COUNTY,  
REPUBLIC OF LIBERIA"

The above communications confirm the appellant's claim that the settling of the matter between Chief Murphy, Vai John and Vai John People, and Alhaji Abraham Varmuyah and Alhaji Sondifu *et al.* does not include the appellant, and as seen in the above communications from the Civil Law Court, of March 14, 1990, and the other from the Probate Court dated March 21, 2000, it is obvious that the matter between the parties does require an action by the court below to quiet title, especially where appellant says that the appellee keeps interfering with appellant's tenants/lessees. The appellant alleged that it also acquired from the Government of Liberia twenty five acres in 1931, and in 1983, entered a lease agreement with a Lebanese National to have the K & K building constructed on his property; that after sixteen years, the said property was assigned by the original lessor to Chewki Kadouh who now occupies the property paying rent and real estate tax in the appellant's name but paying no rent to the appellant. The issue now is that both parties have won separate debt actions against Chewki Kadouh to pay rent to them, and this has placed the appellee Chewki Kadouh in an uncertain position.

The Court says that under the facts and circumstances of this case, the issue is whether the appellant's action to remove and quiet title was rightly filed before the lower court? We think so.

The Judgment of the Supreme Court in 1989 involved Chief Murphy, Vai John and Vai John People, and Alhaji Abraham Varmuyah, and Alhaji Sondifu *et al.* It did not include the appellant. It is obvious that the Court's Judgment could not include other parties in Vai Town as its judgment was specific as to the families, cancelling the Government's 1931 deed issued to Alhaji Abraham Varmuyah, and Alhaji Sondifu *et al.* as against the Chief Murphy, Vai John

and Vai John People, who government had previously issued a deed for the same place in 1906.

It is obvious that the appellant's action is separate and distinct from the 1989 case. The only problem that would involve the Supreme Court and would require the filing of a bill of information would be where the Mandate of the Supreme Court had been obstructed or illegally enforced.

As asked, was a survey ever conducted placing Chief Murphy, Vai John and Vai John People in possession of their property as per their deed and as mandated by the Supreme Court? The appellant says no, because the heirs of Abraham Varmuyah, and Alhaji Sondifu *et al.* often obstructed any attempt at surveying the property and placing Chief Murphy, Vai John and Vai John People in possession.

Strangely, we see the communication of the 21<sup>st</sup> day of March, A.D. 2000 *supra*, where Judge Greaves of the Monthly and Probate Court certified that a survey was done and the appellant property is distinct from that of the Chief Murphy, Vai John and Vai John People property. However, we see no evidence of the survey referred to by Judge Greaves.

The affirmation by the Supreme Court of Chief Murphy, Vai John and Vai John People 1906 deed cannot affect properties of all those in the Vai Town area except the twenty-five acres have been duly surveyed and demarcated, and all those falling within the twenty-five acres are identified and their property rights are settled by due process. The decision by the Supreme Court in 1989 did not automatically give the authority to Chief Murphy, Vai John and Vai John People to possess all and everyone's property and land in Vai Town without a court process to decide these persons property rights, especially considering that the appellant claims that he has lived and possessed properties in the area for more than fifty-five (55) years and neither Chief Murphy, Vai John and Vai John People or Alhaji Abraham Varmuyah, and Alhaji Sondifu *et al.* had laid claim to his property before the 1989 Supreme Court Opinion in which he was not made a party.

The Supreme Court has held that no judgment can conclude a person not a party to a suit, nor can it affect the property of such a person unless he has been brought under the jurisdiction of the court." *International Bank Liberia, Limited v. Ocean Eleven Fitness Club*, Supreme Court Opinion, March 2023; that "the rights of no one shall be concluded by a judgment rendered in a suit to which he is not a party, and a party cannot be bound by a judgment without being allowed his day in court. *Abraham K. Wales, et al. v. The Intestate Estate of Arthur and Reuben Hart*, Supreme Court Opinion, March Term, A.D. 2025; *Keturah*

*Tengbeh et al v. The Intestate Estate of Samuel B. Cole*, Supreme Court Opinion, October Term, A. D 2024.

An action to remove cloud and quiet title involves clearing legal uncertainties or claims that threaten a property ownership to property.

In the same matter regarding the dispute around the twenty-five acres involving the heirs of the parties in the 1988 case - *R.L v. Morve Sone and Corneh et al.*, 35 LLR 126 (1988), the Supreme Court itself held:

“The constitutional guarantee that no one shall be deprived of property but by judgment of his peers was never intended to protect the unlawful ownership of property. In order that this provision of the Constitution may be invoked by a citizen in the possession of his property, he must be able to show that his acquisition and possession are legitimate and that genuineness of his title is beyond dispute.”

In the instant case, the appellant is claiming that his property was deeded to him by the government in 1931 and that he had notoriously lived on the property for about 55 years without any claims from anyone; that it was not until the Supreme Court ruling of 1988 and 1989 by and between Chief Murphy, Vai John and Vai John People on one hand and the heirs of Abraham Varmuyah, and Alhaji Sondifu *et al.* on the other hand, when the Government ruled in favor of Chief Murphy, Vai John and Vai John People that they began to interfere with his tenants/lessees.

The Court holds that the appellant not having been brought under the jurisdiction of the trial court during the hearing of the Vai Town land case out of which the 1989 Supreme Court's Opinion grew, its Judgment cannot be said to have been concluded against the appellant so as to prevent him from filing an action in the court below to quiet claim against interference with his tenants/lessees. The trial court judge therefore erred in dismissing the appellant's action.

WHEREFORE AND IN VIEW OF THE FOREGOING, the final ruling of the trial judge is reversed and the case remanded for trial on its merits. The Clerk of this Court is ordered to send a Mandate to the court below, commanding the judge presiding therein to resume jurisdiction over this case and give effect to the Judgment growing out of this Opinion. Costs are ruled against the appellee. AND IT IS HEREBY SO ORDERED.

**WHEN THIS CASE WAS CALLED FOR HEARING, COUNSELLOR ZIAYE B. DEHKEE OF THE PIERRE, TWEH & ASSOCIATES, APPEARED FOR THE APPELLANT. COUNSELLOR ROLAND F. DAHN OF THE YONAH, OBEY AND ASSOCIATES, APPEARED FOR THE APPELLEE.**