

NO report 753

J A M A I C A

IN THE COURT OF APPEAL

R. M. COURT ORIGINAL APPEAL No. 243/65

BEFORE: The Hon. Mr. Justice Duffus (President)
 The Hon. Mr. Justice Henriques
 The Hon. Mr. Justice Waddington

R. vs HEADLEY ELLIOTT

Mr. F. M. Phipps for the Crown
Appellant appeared in person.

13th January, 1966.

DUFFUS, P..

The appellant was charged for possession of ganja and the Crown's evidence was that two police officers saw him sitting on a bench parcelling out packets of ganja, apparently he was wrapping it in small parcels. He was apprehended on the spot and charged.

His defence was that he was not in possession of any ganja, that he had no ganja but had some haberdashery with him endeavouring to sell in the shed. The police arrested him and the first time that he was shown any ganja by the police was after he was arrested and taken to the Police Station. It was simply a question of fact for the Resident Magistrate. There is nothing in this appeal, the appeal is dismissed.