
O N A P P E A L
FROM THE COURT OF APPEAL OF JAMAICA

B E T W E E N

AUBYN McBEAN Appellant

- and -

THE QUEEN Respondent

C A S E FOR THE RESPONDENTRecord

- 10 1. This is an appeal from a judgment and order of the Court of Appeal of Jamaica, (Fox, Edun and Hercules, JJ.A.), dated the 4th April, 1974. The Appellant was charged in the Resident Magistrate's Court for the Parish of St. James, (magistrate, Mr. Boyd Carey), upon two informations, viz:
- pp.22-44
- 20 with being in possession of six rounds of ammunition, and with being in possession of a firearm (a semi-automatic pistol), both contrary to Section 20 of the Firearms Act, No.1 of 1967. Both offences were alleged to have been committed on the 20th November, 1972. On the 26th June 1973, after various adjournments and delays, he was convicted on both charges and sentenced to twelve months' imprisonment on each charge. In accordance with the provisions of Section 3 of the Firearms Act he was also declared to be a restricted person. His appeals were dismissed by the Court of Appeal, who upheld the sentences passed.
- pp. 1 & 2
p. 7, 1.7
p. 7, 1.21
p.44, 1.10
- 30 2. Special leave to appeal was granted by the Privy Council on the 23rd October, 1974, but was limited to the issues raised by the Appellant in paragraphs 4(a) and (b) of his Petition for Special Leave. These issues are
- pp.44-46
- (a) That the Resident Magistrate heard and adjudicated upon an objection to his trying the case, made on the ground of alleged bias, in chambers and in the absence of the Appellant, and that in so hearing and adjudicating the learned magistrate erred in law.

Record

(b) That, by the 26th June, 1973, Mr. Boyd Carey had no jurisdiction as a Resident Magistrate, in the Parish of St. James, such as permitted him to conclude and determine the then part-heard case.

p.21, 1.33
and
p.9, 1.1
p. 5, 1.9

Both these issues were raised as Grounds of Appeal in the Appellant's appeal to the Court of Appeal. The second issue was also raised before the learned magistrate, on the 26th June, 1973.

3. The relevant statutory provisions are set out in Appendix 1 to this Case.

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p.3, 1.26

4. The case first came before the Resident Magistrate on the 22nd November, 1972, but was postponed to the 11th December, 1972. On the 11th December it was adjourned, on the application of the defence, to the 15th January, 1973. On the 15th January the defence made application for further adjournment. This application was refused. The defence then submitted that the learned magistrate ought not to hear the case, the ground for objection being that the magistrate ought not to be a judge in his own cause. The learned

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p.4, 1.14

magistrate then suggested that counsel should state the basis for the objection in chambers, and the Court then adjourned to chambers. From an affidavit sworn by counsel for the Appellant, he (Counsel), when making the submission in open court, asked that the prosecution witnesses might be excluded while he elaborated his submission. The affidavit states that the learned magistrate declined to send the witnesses out of court, and that he required the application to be made in chambers. It does not appear from the note of proceedings or the affidavit whether or no the Appellant was present in chambers. In chambers the learned magistrate rejected the application, and ruled that the case proceed. The Appellant's plea was then taken, in open court, and the trial proceeded, in the presence of the Appellant. From the affidavit of counsel for the Appellant, it appeared that the learned magistrate ruled that there must be some 'notorious fact' as to the alleged bias before he could disqualify himself, but that no such fact had been shewn. Also, that affidavit evidence should be produced.

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p.4, 1.24

5. The trial was adjourned on the 15th January, and resumed on the 26th June. In the interim

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the defence made an unsuccessful application to the Supreme Court for a writ of prohibition. On the resumption, it was submitted for the Appellant that the learned magistrate was disqualified from hearing the case. It appeared, and was not in dispute, that on the 1st February, 1973, Mr. Boyd Carey had been appointed to act as Registrar of the Supreme Court. Whilst acting as Registrar he had been assigned to be a magistrate of the Resident Magistrate's Court of the Parish of St. James for the purpose of concluding the trial. (The judgment of Fox, J.A. in the Court of Appeal refers to the notices that appeared in the Jamaica Gazette on the 1st March and the 14th June, 1973. These notices do not appear in the Record, but the relevant extracts from them are annexed, as on Appendix 2 to this Case). One of the points made for the Appellant was that, at the time of the assignment, Jamaica already had a full complement of 30 resident magistrates. The learned magistrate rejected the submission, intimating that one of the existing resident magistrates was on leave. He continued the trial, convicted and sentenced.

p.27, 1.4

p.5, 1.18

6. The judgment of the Court of Appeal was delivered by Fox, J.A. His Lordship outlined the facts of the case, dealt with certain of the grounds of appeal, and then turned to the complaint that the assignment of Mr. Boyd Carey to be a resident magistrate was null and void. He outlined the scheme by which Resident Magistrates' Courts were set up and staffed by magistrates. It had been submitted that, although it might be lawful, under Section 192 of the Judicature (Resident Magistrates) Act, to assign a magistrate to a parish to continue a trial he had commenced in that parish, nevertheless, once a magistrate had been appointed to a post other than that of a magistrate, such an assignment as a magistrate was ultra vires. Jones v. Ricketts (1964) 7 W.I.R. 62 and Frederick v. Chief of Police (1968) 11 W.I.R.330 had been relied upon. In the latter case the appointment of a magistrate had been terminated while a case he was hearing was part-heard. Subsequently he had been appointed a magistrate to complete the hearing, had done so, and had convicted. The trial had been declared a nullity on the ground that, upon termination of appointment, the magistrate had become functus officio, and therefore had no jurisdiction to continue the hearing. As in that case, so also here, it had been submitted. His Lordship said that this submission misconceived the effect of the provisions of Section 4 of Act No.33 of 1966, which had repealed and replaced Section 192 of the

pp.23-25

p.27, 1.12

p.28, 1.28

Record

- p.29, 1.4 Judicature (Resident Magistrates) Act. What had been done in the instant case was exactly in accord with the provisions of the new Section 192(b). Thus, there was no substance in this ground of appeal.
- p.42, 1.4 7. His Lordship, after dealing with other grounds of appeal, turned to the submission that, by hearing the 15th January application in chambers and in the absence of the Appellant, the trial had been rendered a nullity. It had been submitted (a) that this violated the requirement set out in Section 20(3) of the Constitution that the trial should be in public, and (b) that it violated the principle that the whole of the trial should be held in the presence of the accused. As to the first point, although Section 20(3) required that: "All proceedings of every court shall be held in public", this could not be construed as meaning that all the functions and activities of which a court was capable must be dealt with in public. So to construe the wording would eliminate the jurisdiction which judges of the Court of Appeal and the Supreme Court, resident magistrates, and masters, all exercised in chambers. His Lordship referred to Sections 67, 69, 272, 273 and 274 of the Judicature (Resident Magistrates) Act. Order XI, Rule 8 of the Resident Magistrates Courts Rules provided an indication as to what was comprehended by the word "proceedings" in Section 20 (3) of the Constitution. What the Constitution contemplated was that trials were to be in public. In the instant case the matter dealt with in chambers was a challenge to the jurisdiction. It was a matter preliminary to the trial itself and was therefore one which could be and was quite properly dealt with in chambers. In his Lordship's view this disposed of the constitutional objection. It also disposed of the second point. It was certainly a principle of the common law that the whole of the proceedings of the trial must take place in the presence of the accused. In the present case the Appellant's plea of 'not guilty' was taken, in court, after the challenge had been disposed of in chambers. It was then that the trial of the Appellant commenced, and this was in public and in the presence of the Appellant. In his Lordship's view there was no substance in the ground of appeal.
- p.43, 1.23
- p.43, 1.44
- p.44, 1.6
- p.44
8. Edun and Hercules, J.J.A. agreed with Fox, J.A.
9. It is respectfully submitted that, on the 26th June, 1973, Mr. Boyd Carey had jurisdiction to sit

as a Resident Magistrate of the Parish of St. James and to hear and determine the part-heard case, and that the Court of Appeal were right in so holding, for the reasons given. The Judicature (Resident Magistrates) Act contemplated the appointment of Resident Magistrates, and their assignment as magistrates of a parish, as separate acts. Mr. Boyd Carey never ceased to be a Resident Magistrate, notwithstanding his appointment to act as Registrar. As a Resident Magistrate he was capable of administering the jurisdiction and duties of any Resident Magistrate's Court. The re-assignment to the Parish of St. James to continue the hearing of the part-heard case was in full conformity with the provisions of Section 192 (as replaced in September 1966) of the Judicature (Resident Magistrates) Law. The case of Fredericks v. Chief of Police (1968) 11 W.I.R. 330 is of no assistance to the Appellant. It is a case from Grenada where (so it would appear) the statutory provisions as to magistrates differ from those of Jamaica. The instant case is also distinguishable from Jones v. Ricketts (1964) supra in that

- (i) the cited case was concerned with an acting Resident Magistrate whose powers effectively terminated when he ceased to act and were not revived by a new acting appointment,
- (ii) the existing Law was inadequate to meet such a situation, and
- (iii) the amendment of 1966 (Act 33 of 1966) was specifically passed to overrule the decision in Jones v. Ricketts (1964) and to provide adequate provisions to meet the circumstances depicted in that case (see also paragraph 6 hereof).

10. It is respectfully submitted that, in hearing in chambers the objection to jurisdiction, the learned magistrate violated neither Section 20(3) of the Constitution, nor the principle that the trial of an accused person must be held in his presence, and that the Court of Appeal were right in so holding, for the reasons given. The Respondent submits, however, that the principle as to the presence of an accused is not absolute (the offence not being a felony), but is as stated in Lawrence v. The Queen (1933) A.C.649 and the Appellant was represented by Counsel who made no objection to the suggestion by the Resident

Record

Magistrate to the making of the application in Chambers and the discussion in Chambers was in keeping with the freedom of access between Counsel and Judge. R. v. Turner (1970) 2 Q.B. p.321.

The decision did not prevent the matter being aired in open Court and the question was in fact subsequently raised at the continued hearing on the 26th June, 1973, and accordingly it is submitted that, in any event, no injustice could have been occasioned by what transpired or was done in Chambers.

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11. It is respectfully submitted that the appeal ought to be dismissed, and the judgment of the Court of Appeal affirmed for the following, among other

R E A S O N S

(1) BECAUSE the proceedings of the trial court were held in public, and not in breach of Section 20(3) of the Constitution, and the Court of Appeal were correct in so holding.

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(2) BECAUSE there was no breach of the principle that trials should be held in the presence of the accused, and the Court of Appeal were correct in so holding.

(3) BECAUSE the learned magistrate had jurisdiction to continue and conclude the part-heard case and the Court of Appeal were correct in so holding.

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(4) BECAUSE in any event, no injustice was suffered by the Appellant.

J. S. KERR

GERALD DAVIES

APPENDIX 1

The Jamaica (Constitution) Order in Council, 1962 No.1550.

10 s. 4(1) All laws which are in force in Jamaica immediately before the appointed day shall (subject to amendment or repeal by the authority having power to amend or repeal any such law) continue in force on and after that day, and all laws which have been made before that day but have not previously been brought into operation may (subject as

10 provision in that behalf, on or after that day, but all such laws shall, subject to the provisions of this section, be construed, in relation to any period beginning on or after the appointed day, with such adaptations and modifications as may be necessary to bring them into conformity with the provisions of this Order.

The Constitution of Jamaica.

20 s.2. Subject to the provisions of sections 49 and 50 of this Constitution, if any other law is inconsistent with this Constitution, this Constitution shall prevail and the other law shall, to the extent of the inconsistency, be void.

s. 20(3) All proceedings of every court and proceedings relating to the determination of the existence or the extent of a person's civil rights or obligations before any court or other authority, including the announcement of the decision of the court or other authority, shall be held in public.

30 (4) Nothing in subsection (3) of this section shall prevent any court or any authority such as is mentioned in that subsection from excluding from the proceedings persons other than the parties thereto and their legal representatives -

(a) in interlocutory civil proceedings; or

(b) in appeal proceedings under any law relating to income tax; or

(c) to such extent as the court or other authority -

(i) may consider it necessary or expedient in circumstances where publicity would prejudice the interests of justice; or

40 (ii) may be empowered or required by law to do so in the interests of defence, public safety, public order, public morality, the welfare of persons under the age of twenty-one years or the protection of the private lives of persons concerned in the

proceedings.

s.26(8) Nothing contained in any law in force immediately before the appointed day shall be held to be inconsistent with any of the provisions of this Chapter; and nothing done under the authority of any such law shall be held to be done in contravention of any of these provisions.

2. 112(1) Power to make appointments to the offices to which this section applies, and, subject to the provisions of subsections (3) and (4) of this section, to remove and to exercise disciplinary control over persons holding or acting in such offices is hereby vested in the Governor-General acting on the advice of the Judicial Service Commission.

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(2) This section applies to the offices of Resident Magistrate, Judge of the Traffic Court, Registrar of the Supreme Court, Registrar of the Court of Appeal and to such other offices connected with the courts of Jamaica as, subject to the provisions of this Constitution, may be prescribed by Parliament.

The Judicature (Resident Magistrates) Act

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Short title

1. This Act may be cited as the Judicature (Resident Magistrates) Act.

Interpretation

2. In this Act -

"Magistrate" means the officer appointed as Resident Magistrate;

"Court" means the Court in which the Resident Magistrate sits in the exercise of the civil or criminal jurisdiction assigned to him as such.

Constitution and jurisdiction of Court for each parish

3. In each of the fourteen parishes of the Island there shall be a Court, to be styled the Resident Magistrate's Court for the parish of _____, with so many stations as may from time to time be fixed by the Minister, which shall have and exercise the jurisdiction by this Act assigned to and conferred upon such Court.

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Appointment and jurisdiction of Resident Magistrate
45/1973
S.2(a)

4. (1) It shall be lawful for the Governor-General from time to time to appoint so many Resident Magistrates, not exceeding thirty-two and not less than nine, as he may think necessary to satisfactorily discharge the business of such Courts, and every Resident Magistrate so appointed shall by the fact of such appointment, be capable of exercising and administering the jurisdiction and duties of any Resident Magistrate's Court in the Island.

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(2) Every Resident Magistrate so appointed shall be Judge of such one or more of the Resident Magistrates' Courts as shall at the time of his appointment or thereafter be assigned to him, shall have and exercise the jurisdiction or jurisdictions thereof, and shall be styled the Resident Magistrate for the parish or parishes of

10 (3) The Minister may from time to time, upon the recommendation of the Chief Justice, by order amend subsection (1) so as to increase the number of Resident Magistrates to be appointed pursuant to that subsection

45/1973
S.2(b)

(4) Any order made under subsection (3) shall be subject to affirmative resolution of the House of Representatives

20 (note. The Judicature (Resident Magistrates) (Amendment) Act No.45 of 1973. Was enacted and came into force on the 19th December, 1973. Section 2 (a) of this Act amended Section 4(1) of the principal Act by increasing the permitted number of Resident Magistrates from thirty to thirty two. Section 2 (b) further amended Section 4 of the principal Act by introducing the present subsection 4(3) and (4))

5. (1) Notwithstanding anything to the contrary, it shall be lawful for the Governor-General from time to time to assign any Court to more than one Resident Magistrate.

Power to assign Court to more than one Resident Magistrate

30 (2) Where, in the exercise of the powers conferred by subsection (1), any Court is assigned to more than one Resident Magistrate every Resident Magistrate to whom that Court is so assigned shall have the like functions, powers and duties as if he were the sole Resident Magistrate to whom that Court was assigned under sub-section (2) of section 4 and shall exercise the jurisdiction thereof concurrently with every other Resident Magistrate to whom that Court is assigned under this section.

40 6. In addition to having and exercising the jurisdiction of the Court or Courts specially assigned to him under section 4, a Magistrate, if the Governor-General so direct, shall also have and exercise the jurisdiction of the Court in any other parish or parishes either generally, or at such one or more stations therein, as may from time to time be assigned to him by the Governor-General.

Power to assign more than one parish to a Magistrate

7. It shall be lawful for the Magistrate of one parish, upon the application of the Magistrate of any other parish, to act as the Magistrate of such other parish, either generally for the whole parish, or for any

One Resident Magistrate may act for another

particular station or stations or on any particular occasion:

Provided that a Magistrate shall not act in this manner for another Magistrate for more than a week at a time, without the consent of the Governor-General

- Qualifi-
cation of
Resident
Magistrates
- 42/1960
3rd Sch.
12. No person shall be appointed a Resident Magistrate unless he is -
- (a) a member of the Bar of Jamaica or of England or of Northern Ireland or of the Faculty of Advocates of Scotland, or a Writer to the Signet, or a solicitor of the Supreme Court or of the Supreme Court of Judicature of England, Scotland or Northern Ireland, or a Law Agent admitted to practise in Scotland; and
- (b) either he -
- (i) has actually practised in one or other of the capacities specified in paragraph (a) of this section for; or
- (ii) after he became qualified so to practise, has served in the judicial or legal department of any Commonwealth country for; or
- (iii) has so practised and has so served for periods which together amount to; or
- (iv) has so served for a period which, together with one-half of any period during which he held the office of Clerk of the Courts in Jamaica before he became qualified so to practise, amounts to,
- not less than five years.
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- Transfer of
Magistrate
and
Clerk.
13. The Governor-General may at any time transfer a Magistrate, or a Clerk of the Courts, Deputy Clerk of the Courts, or Assistant Clerk as hereinafter provided, from one parish to another, or to a combination of parishes; so, nevertheless, that such officer shall not suffer by any such transfer in point of emolument
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- Temporary
appointment
of
Magistrates
or Clerks
29. When the Magistrate or the Clerk of the Courts of any parish shall be incapacitated from illness, or absent, or unable to attend to his duties, or where a vacancy in the office of Magistrate, or Clerk, of any parish shall occur, the Governor-General may appoint any person who possesses any of the qualifications set out in paragraph (a) of section 12, though such person may not possess any of the qualifications set

10 out in paragraph (b), to act temporarily as a Magistrate of such parish, and any fit and proper person, though such person may not be qualified under this Act for the office of Clerk of the Courts, to act temporarily as Clerk of the Courts of such parish; and any person so appointed shall have for the time being all the powers and jurisdiction and privileges of a Magistrate or Clerk (as the case may be), but shall not be subject to the provisions of section 25 or 26.

30A. (1) It shall be the duty of a Magistrate within seven days after the day on which he ceases, either temporarily or permanently, to be a Magistrate of a Court, to submit to the Chief Justice a report showing all the cases in that Court in which a hearing has been commenced before him and either -

Report by Magistrate on uncompleted cases

(a) all the evidence and submissions have not been heard; or

(b) judgment has been reserved and not delivered

20 (2) Every report under this section shall be in such form and shall contain such particulars as the Chief Justice shall from time to time direct.

(Note - This Section was introduced by the Judicature (Resident Magistrates) (Amendment) Acts No.33 of 1966. The Act came into force the 6th September, 1966).

30 63. It shall be the duty of every Magistrate, in the Parish or parishes, or at any station or stations therein, to which for the time being he may be assigned by the Governor-General, to attend as Magistrate all Courts of Petty Sessions, and when present at any such Court, he shall be entitled to preside thereat; and every Magistrate shall, when sitting alone in any such Court, whether within the limits aforesaid, or elsewhere in this Island, have all the powers and authority which are now, or which may hereafter be, by law committed to and exercisable by any two or more Justices associated and sitting together;

Duty of Magistrate to attend all Courts of Petty Sessions within his parish

40 Provided always, that nothing herein contained shall be taken to invalidate anything done at any Court of Petty Sessions at which the said Magistrate is not present:

And Provided always that when the Magistrate for any reason fails to attend a Court of Petty Sessions, the Clerk at such Court shall receive his orders and such directions as may be necessary for completing the business of the Court from the presiding Justice.

Magistrate to take all preliminary examinations of charges of indictable offences

64. Every Magistrate shall, within his parish or parishes, take all necessary and requisite preliminary examinations and depositions on charges or informations for indictable offences triable in the Circuit Court.

In holding any such examination, it shall be the duty of the Magistrate to see that all proper evidence is brought forward and enquiries made, and with this view from time to time, in any case that may be brought before him, to give such instructions and directions to the Clerk of the Courts, and to the local Superintendent or other officer of Constabulary entrusted with the conduct of such case, as may seem to him necessary.

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Magistrate's jurisdiction in Chambers

67. It shall be lawful for any Magistrate to sit in Chambers, and there to make orders as to the mode of trial of persons brought before him charged with any indictable offence, to hear and determine any application for a change of venue from one station to another station in his parish or parishes, for any stay of execution, for a writ of habeas corpus to bring up any witness or prisoner, and any application respecting the taxation of costs, and also any unopposed application for probate or administration and also any application that may be properly made ex parte and without notice to the other side.

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Magistrate may appoint times and places for sitting in Chambers

68. The Magistrate may sit in Chambers in any place and at any time he may appoint, and he may give such notice as he may think desirable for any sitting but no such notice shall be necessary to give him jurisdiction to sit in Chambers; and the Magistrate shall at all times be deemed to be sitting in Chambers for the purpose of making orders as to the mode of trial of persons brought before him charged with any indictable offence.

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The Magistrate sitting in Chambers shall have, with respect to all matters that may be heard and determined in Chambers, the same jurisdiction, powers and privileges that he would have in hearing or determining such matters in open Court.

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Jurisdiction in Chambers may be increased by rules

69. Rules made under this Act may give jurisdiction in Chambers over other matters within the jurisdiction of the Court, besides those before mentioned, which can be disposed of in Chambers more conveniently than in Court.

Chamber applications may be made in Court or referred to the Court

70. The power to hear and determine any application in Chambers, shall not prevent the making and determining of such application in open Court; and it shall not be lawful for any Magistrate to refuse to

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hear and determine any application in Court, merely because such application could be disposed of in Chambers.

It shall be lawful for the Magistrate to refer any matter brought before him in Chambers at any stage to be disposed of in Court, if on account of the importance of the matter, or for any other reason, he thinks that the matter should be disposed of in Court.

10 192. Where a person before whom the hearing of any proceedings has commenced in a Court ceases, either temporarily or permanently, to be the Magistrate of that Court prior to the conclusion of the hearing -

Procedure where cases are not concluded by Magistrate. 33/1966. S.4

20 (a) if he has reserved judgment and ceases as aforesaid before he has delivered his judgment he may at any time lodge with the Clerk of the Courts such judgment in writing; and such judgment shall as soon as possible thereafter be read in a Court by the Magistrate of the Court and shall take effect in all respects as if the person who reserved judgment had continued to be the Magistrate of the Court and had delivered judgment himself on the day that it was so read; or

(b) he may, whether or not he has reserved judgment as aforesaid, be assigned at any time to be a Magistrate of that Court for the purpose of concluding such hearing.

30 (Note. Introduced by the Judicature (Resident Magistrates) (Amendment) Act No.33 of 1966).

40 272. On a person being brought or appearing before a Magistrate in Court or in Chambers, charged on information and complaint with any indictable offence, the Magistrate shall, after such enquiry as may seem to him necessary in order to ascertain whether the offence charged is within his jurisdiction, and can be adequately punished by him under his powers, make an order, which shall be endorsed on the information and signed by the Magistrate, that the accused person shall be tried, on a day to be named in the order, in the Court or that a preliminary investigation shall be held with a view to a committal to the Circuit Court.

Procedure when person charged with an indictable offence before a Magistrate

Power of
Magistrate
in making
order
under
section 272

273. It shall be lawful for any Magistrate, in making any order under section 272 directing that any accused person be tried in the Court, by such order to direct the presentation of an indictment for any offence disclosed in the information, or for any other offence or offences with which, as the result of an enquiry under the said section, it shall appear to the Magistrate the accused person ought to be charged and may also direct the addition of a count or counts to such indictment. And, upon any such enquiry, it shall be lawful for the Magistrate to order the accused person to be tried for the offence stated in the information, or for any other offence or offences, although not specified in the information, and whether any such information in either case did or did not strictly disclose any offence.

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Indictment
and
commence-
ment of
trial
thereof

274. The trial of any person before a Resident Magistrate's Court for an indictable offence, shall be commenced by the Clerk of the Courts preferring an indictment against such person and there shall be no preliminary examination.

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The Resident Magistrates' Court Rules, 1933

Civil Procedure

Order XI

Interlocutory and Interim Orders and Proceedings

Rule 8. The Judge may hear and dispose of, in Chambers, any proceeding (other than the trial of an action) which seems to him to be likely to be more conveniently disposed of there than in Court, unless objection be taken thereto by either party; Provided that it shall not be lawful for the Judge to refuse to hear and determine any application in Court merely because such application could be disposed of in Chambers.

APPENDIX 2

THE JAMAICA GAZETTE

Vol. XCVI

Thursday, March 1, 1973.

No.16

The following Notifications are, by command of His Excellency the Governor-General, published for general information.

N.H.SMITH

Governor-General's Secretary

GOVERNMENT NOTICES

Acting Appointments

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No.333

The Governor-General acting on the advice of the Judicial Service Commission has approved the following acting appointments in the Supreme Court with effect from the 1st February, 1973:

- (i) Mrs.E.B. Allen, Registrar, Supreme Court, to act as Master-in-Chambers vice Mr. V.K.G. McCarthy;
- (ii) Mr.Boyd Carey, Resident Magistrate, to act as Registrar, Supreme Court, vice Mrs. Allen.

O.S.C.No.C 6485

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Vol.XCVI

Thursday, June 14, 1973

No.53

(remaining heading as before)

Temporary Assignment

No.628

Mr.Boyd H.Carey, Resident Magistrate, who is at present acting as Registrar of the Supreme Court, has been temporarily assigned to the parish of St.James on the 26th June, 1973, to continue the hearing of a part-heard case.

M.P.No.J13/S3V.

IN THE PRIVY COUNCIL No.3 of 1975

O N A P P E A L
FROM THE COURT OF APPEAL JAMAICA

B E T W E E N

AUBYN McBEAN

Appellant

- and -

THE QUEEN

Respondent

C A S E F O R T H E R E S P O N D E N T

RECEIVED

8 DEC 1975

CHARLES RUSSELL & CO.,
Hale Court,
Lincoln's Inn, W.C.2.
Respondent's Solicitors