

J A M A I C A

IN THE COURT OF APPEAL

CAYMAN ISLAND CIVIL APPEAL NO. 8/72

BEFORE: The Honourable Mr. Justice Edun - Presiding
The Honourable Mr. Justice Graham-Perkins, J.A.
The Honourable Mr. Justice Swaby, J.A.

BETWEEN: WALTER GODFREY - Plaintiff/Appellant

AND : MAGGIE RYAN HEMMINGS)
MAUD RYAN JERVIS) - Defendants/Respondents
MARVIN RYAN)

Mr. H. Edwards, Q.C. for Plaintiff/Appellant
Mr. John Stafford and Mr. Arthur Hunter for Defendants/Respondents

26th June, 1974

EDUN, J.A.:

We have listened attentively to submissions of learned attorney for the plaintiff/appellant. He does not dispute that the entire case involves a decision on the facts of the case. The learned judge of the Grand Court saw the witnesses, assessed the evidence and came to his conclusion thus :

" The plaintiff has not made out a case for a declaration of title to my satisfaction."

There was ample evidence to warrant such a conclusion, reasonably.

There is no question of law involved and I see no reason why I should interfere with the conclusion of the learned judge of the Grand Court. I would dismiss the appeal.

GRAHAM-PERKINS, J.A.: I agree.

SWABY, J.A.: I agree.