

IN THE SUPREME COURT OF NOVA SCOTIA

APPEAL DIVISION

Clarke, C.J.N.S.; Matthews and Chipman, J.J.A.

BETWEEN:

THOMAS ALVIN SELIG	)	Edmund R. Saunders
	)	for the Appellant
Appellant	)	
	)	
- and -	)	James C. Martin
	)	for the Respondent
	)	
HER MAJESTY THE QUEEN	)	
	)	Appeal Heard:
Respondent	)	April 2, 1992
	)	
	)	Judgment Delivered:
	)	April 2, 1992
	)	
	)	
	)	
	)	
	)	
	)	

THE COURT: Appeal dismissed from conviction of possession for the purpose of trafficking contrary to s. 4(2), **Narcotic Control Act**, per oral reasons for judgment of Clarke, C.J.N.S., Matthews and Chipman, J.J.A. concurring.

The reasons for judgment of the Court were delivered orally by:

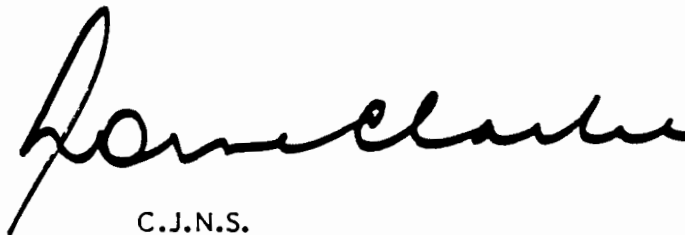
CLARKE, C.J.N.S.:

On May 21, 1991, after a trial before a judge and jury the appellant was found guilty of the offence with which he was charged, namely, that on or about March 15, 1990 he did unlawfully have in his possession a narcotic, to wit, cannabis resin for the purpose of trafficking contrary to s. 4(2) of the **Narcotic Control Act**.

The appellant appeals against his conviction alleging that the trial judge erred in law by failing to correctly interpret and apply sections 8, 24 and 10 of the **Canadian Charter of Rights and Freedoms**. He also alleges the trial judge committed additional errors in law by failing to adequately instruct the jury in several respects principally relating to the nature of the evidence as it concerned trafficking and possession.

We have reviewed and considered the record including the transcript of the evidence and we have carefully examined the remarks of the trial judge and his charge to the jury. We have also considered the oral submissions of both counsel and the written submissions of counsel of the appellant.

After doing this we are satisfied that the trial judge made no errors in law that are reversible on appeal. Therefore, we dismiss the appeal against conviction.

  
C.J.N.S.

Concurred in:

Matthews, J.A.



Chipman, J.A.



CANADA  
PROVINCE OF NOVA SCOTIA  
COUNTY OF LUNENBURG

S.B.W. 1754

IN THE SUPREME COURT OF NOVA SCOTIA  
APPEAL DIVISION  
on appeal from  
THE SUPREME COURT OF NOVA SCOTIA TRIAL DIVISION

BETWEEN:

HER MAJESTY THE QUEEN

- and -

THOMAS ALVIN SELIG

(T R I A L)

HEARD BEFORE: The Honourable Mr. Justice H.S. Nathanson & Jury  
PLACE HEARD: Bridgewater, Nova Scotia  
DATES HEARD: May 16, 17 and 21, 1991

COUNSEL:

Michael K. Power, for the Prosecution  
Edmund R. Saunders, for the Defence

C A S E O N A P P E A L