



COMMONS REGISTRATION ACT 1965

Reference No. 206/U/76

In the Matter of Four Parcels of Land additional to the Tracts of land known as Carradon Hill and Fore Down and also known as Carradon Common, St. Cleer and Linkinhorne, Cornwall

DECISION

This reference relates to the question of the ownership of four parcels of land additional to the tracts of land known as Carradon Hill and Fore Down and also known as Carradon Common, St. Cleer and Linkinhorne, being the land comprised in the Land Section of Register Unit No. CL.205 in the Register of Common Land maintained by the Cornwall County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference Mr G D Daniel and Mrs E C Cox claimed to be the freehold owners of the land in question and no other person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Bodmin on 7 October 1982. At the hearing, Mr G C L Daniel appeared in person.

The land comprised in the Register Unit consists of four small areas roughly in a line from north to south. The most southerly area and a triangular area near to Downgate were conveyed to the late Mr W L Daniel by a conveyance made 12 February 1957 between (1) Frederic Lyde Cawnter (2) William Ley Daniel. Mr W L Daniel died intestate on 13 April 1969, and on 24 July 1969 letters of administration of his estate were granted to Janie Elizabeth Carrie Daniel and Gerald Clifton Ley Daniel, his daughter and son. On 5 July 1980. Miss Daniel was married to Mr James Herbert Edward Cox.

Further enquiries suggested by Mr Daniel produced evidence regarding other parts of the land comprised in the Register Unit. Since there is no conflict between the various claimants, I can deal with the matter on certified copies of documentary evidence.

Between the two pieces of what may be called for convenience the Daniel land there is a square area which was conveyed to the Misses E & A D' Urban Hollidge by a conveyance made 30 October 1970 between (1) Gwendoline Emma Rownsevell (2) Evelyn D' Urban Hollidge and Audrey D' Urban Hollidge. The Misses Hollidge have a good root of title in a conveyance made 24 June 1959 between (1) Una Dunn Bridge (2) G E Rownsevell. It appears that this land is the site and curtilage of a dwellinghouse known as Carradon Villa, so it is not apparent how it came to be registered as common land.

The northern half of the northern most piece of land comprised in the Register Unit was conveyed to Mr and Mrs A J Saich by a conveyance made 9 November 1971 between (1) Charles Frederick William White (2) Arthur James Saich and Dorothy Beatrice Saich his wife. The vendor had a good root of title in a conveyance made 3 May 1929 between (1) Frederick William Batten, William Sargent, and Olive Alice Simcoe Hilliard (2) William George Stanley Plummer. In addition Mr and Mrs Saich have a possessory title to the southern half of the northernmost piece of land. This piece of land is the site and curtilage of a dwellinghouse