



COMMONS REGISTRATION ACT 1965

Reference No. 206/U/79

In the Matter of land at Lerryn, St Winnow,  
Cornwall

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DECISION

This reference relates to the question of the ownership of land at Lerryn, St Winnow, being the land comprised in the Land Section of Register Unit No. CL 305 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 M H Boraston claimed to be the freehold owner 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 Boraston appeared in person.

The land in question was conveyed to Mr Boraston by a Conveyance made 24 June 1957 between (1) Emma Coom (2) Michael Howard Boraston. The vendor had a good root of title in a Conveyance made 24 June 1932 between (1) Rhoda Mary Louisa Shakerley-Howell (2) James Henry Andrew, supported by a statutory declaration made 23 June 1932 by Francis Higden, the land agent of Mrs Shakerley-Howell that he had known the land since 1882 and that it had been in the undisturbed possession of Mrs Shakerley-Howell and her predecessors in title.

On this evidence I am satisfied that Mr Boraston is the owner of the land, and I shall accordingly direct the Cornwall County Council, as registration authority, to register him as the owner of the land under section 8(2) of the Act of 1965.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this

20th

day of

June

1982

Chief Commons Commissioner