



In the Matter of two pieces of land being part  
of Treen Common and Bosporthennis Common,  
Zennor

DECISION

This reference relates to the question of the ownership of the land above mentioned being the land comprised in the Land Section of Register Unit No. CL 526 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 several persons 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 Camborne on 23 November 1962.

The hearing was attended by the following persons or their representatives, Mrs Mary Ansell and Mrs Ada Mary Thomas, Trustees of the Will of the late Robert Berryman, Mr Albert George James, Dr Dolf Eric Rieser, Mrs S A Berryman, Mr W J Berryman, Mrs A M Thomas, Mr K Berryman and Mr Tremboth.

In the present state of the Register the Register Unit CL 526 comprises two areas. The larger Treen Common lies to the North and slightly to the East of Bosporthennis Common.

Bosporthennis Common was the subject of rival claims from Mr James and Mrs Ansell and Mrs Thomas as Trustees of the late Robert Berrymans Will each claimed the whole but after considering the documentary evidence I am of opinion that ownership of the Common is divided by a line running between the word Stone which appears half way up the Western and Eastern boundaries.

The Northern part is owned by the Trustees and the Southern by Mr James.

Treen Common is the subject of claims to undivided shares. Mr K and Mrs S A Berryman claimed a  $\frac{1}{4}$ th share as purchasers from Mr L J Rodda in May 1982, Mr W J Berryman, and Mrs Thomas each claimed a  $\frac{1}{6}$ th share. However, for the purposes of the Act of 1965 the legal estate is now vested in the Public Trustee under para. (4) Pt. IV of the First Schedule to the Law of Property Act, 1925.

On this evidence I am satisfied that (1) Mrs Ansell and Mrs Thomas (2) Mr James and (3) The Public Trustee are the respective owners of the land, to the extent I have indicated and I shall accordingly direct the Cornwall County Council, as registration authority, to register them respectively as the owner of those parts 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

2nd

day of

November

1983

*George H. H. H.*

Commons Commissioner