



JM

COMMONS REGISTRATION ACT 1965

Reference No. 262/U/244

In the Matter of The Quarry, Great Corby,
Wetheral, Cumbria.

DECISION

This reference relates to the question of the ownership of land known as The Quarry, Great Corby, Wetheral, being the land comprised in the Land Section of Register Unit No. CL.180 in the Register of Common Land maintained by the Cumbria 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 R C Armstrong 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 Carlisle on 7 February 1980. At the hearing Mr T Hazard, Solicitor, appeared on behalf of Mr D W Armstrong and Mr E S Bliss, the trustees of the will of Margaret Amelia Armstrong deceased,

Margaret Amelia Armstrong, who died on 3 November 1971, was the executrix of Hannah Hetherington, who died on 25 November 1954. Hannah Hetherington and Margaret Amelia Armstrong, were appointed trustees of the Will of Robert Charles Hetherington by a deed of appointment dated 12 October 1933.

There were conveyed to Robert Charles Hetherington by an indenture made 19 July 1901 between (1) William Edward Tallents and Gerard Holmes Gore (2) Robert Charles Hetherington two parcels of land described as Low Close and Lowry Field or Comeley Foot and numbered 316 and 317 on the tithe map for the parish of Wetheral. There was no plan on the 1901 indenture, but the situation of tithe numbers 316 and 317 is identified on a plan attached to an indenture made 20 August 1863 between (1) John Bowman and John Blenkin-Sop (2) Henry Bowman. These two parcels are the land comprised in the Register Unit.

On this evidence I am satisfied that Mr D W Armstrong and Mr E S Bliss are the owners of the land, and I shall accordingly direct the Cumbria County Council, as registration authority, to register them 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

24th

day of February 1980

[Signature]
Chief Commons Commissioner