



## COMMONS REGISTRATION ACT 1965

Reference No 209/D/415

In the Matter of Ugborough Moor,  
Ugborough, South Hams District,  
Devon

DECISION

## Introduction

This Matter relates to 122 registrations made under the 1965 Act. My decision as regards each of the registrations is set out in the Third (and last) Schedule hereto. The disputes which have occasioned this decision, the circumstances in which they have arisen, and my reasons for my decision are as follows.

These disputes relate to the registrations at Entry Nos. 5 to 45 inclusive (17 has been replaced by Nos. 138, 142 and 143, and 31 has been replaced by Nos. 148 and 149), 48 to 51 inclusive, 53, 54, 55, 57, 58, 60 to 90 inclusive (68 has been replaced by Nos. 145 and 146), 92 to 95 inclusive, 96 to 110 inclusive and 113 to 134 inclusive in the Rights Section of Register Unit No. CL156 in the Register of Common Land maintained by the Devon County Council and are occasioned by Objections Nos. 462, 463, 464 and 988 made by HRH Charles Prince of Wales, Duke of Cornwall and noted in the Register on 2 March 1971 and 23 June 1972, by Objections Nos. 644, 645, 646, 647 and 648 made by H G Hurrell and noted in the Register on 30 November 1970, and by Objection No. 1086 made by W J Edmunds and noted in the Register on 14 August 1972.

I held a hearing for the purpose of inquiring into the disputes at Plymouth on 17 and 18 July 1984. At the hearing: (1) the Attorney-General for the Duchy of Cornwall who not only made the said Objections but also are registered at Entry No. 3 in the Ownership Section as owners of the part ("the lettered B part") of the land in this Register Unit ("the Unit Land") hatched in red and lettered "B" on the Register map, was represented by Mr C Sturmer, the Agent for their Dartmoor Estate; (2) Dr L H Hurrell and Miss L E Hurrell of Moorgate, near South Brent, Devon as successor of the late Mr Henry George Hurrell who not only made the said Objections but was also registered at Entry No. 2 in the Ownership Section as owner of all the Unit Land except the lettered B part and a comparatively very small part at its south-west corner, was represented by Mr W T Edmunds of Gribblesdown, South Brent (he handed me a letter of authority dated 13 June 1984, signed L A Hurrell); (3) Mr W T Edmunds also attended in person on his own behalf as maker of the said Objection No. 1086 (Mr Sturmer said that this Objection had been "taken over by the Duchy"), as applicant with Miss Lucy Adeline Edmunds for the registration (now final) at Entry No. 46 and as applicant for the registrations (now final) at Entry Nos. 47 and 52; (4) Lady Sylvia Rosalind Pleadwell Sayer who applied with Vice Admiral Sir Guy Bouchier Sayer for the registration at Entry No. 5 attended in person on her own behalf and as representing him; (5) Admiral Sir James F Eberle as successor of Mr David Miller Scott who applied for the registration at Entry No. 6 was also represented by Lady SRP Sayer; (6) Mr James William Northmore who applied for the registration at



Entry No. 41 attended in person; (7) Mr John Thomas Cole of West Coombe<sup>5</sup>head Farm, Harford as successor of Messrs Herbert Edward Coles and Rosamond Isabel Coles who applied for the registration at Entry No. 49 and of Mrs Mary Louisa Cole who applied for the registration at Entry No. 50, attended in person; and (8) Mrs Eleanor Nancy Smallwood who applied for the registration at Entry No. 106 was also represented by Lady S R P Sayer.

The land ("the Unit Land") in this Register Unit is a tract a little under 6 miles long from north to south and having a width varying between about one quarter of a mile and a mile and a quarter. The whole length of the west boundary of the Unit Land is the same as the whole length of the east boundary of Register Unit No. CL195 being Harford Moor; the north part (between one half and two thirds) of the east boundary of the Unit Land is the same as the west boundary of Register Unit No. CL161 being Brent Moor; the north boundary (very small compared with the other boundaries) adjoins Register Unit No. CL164, being the Forest of Dartmoor; the south and the remainder of the east boundaries of the Unit Land adjoin the enclosed agricultural lands of Bittaford, Wrangaton and Cheston in the parish of Ugborough. In the Ownership Section at Entry No. 1 Wrangaton, (South Devon) Golf Club are registered as owners of part of the Unit Land (south-west corner being about  $\frac{1}{4}$  of a mile long from east to west and about  $\frac{1}{4}$  of a mile wide from north to south) and lettered "A" on the Register map; at Entry No. 3, HRH Charles Prince of Wales Duke of Cornwall is registered as owner of part ("the lettered B part") of the Unit Land, at its north end (adjoining the CL164 land) having a length from north-west to south-east of about  $\frac{1}{2}$  a mile and a variable width averaging about  $\frac{1}{4}$  of a mile; and at Entry No. 2, Mr Henry George Hurrell is registered as the owner of the part of the Unit Land "lying south of the Dartmoor Forest boundary" excluding the lettered A part. All the Ownership Section registrations being undisputed have become final, such finality being (I suppose) on the assumption that the south boundary of the lettered B part is the same as the south boundary of the Dartmoor Forest, an assumption which as hereinafter appears, was proved to be correct in the course of the hearing. In the First Schedule hereto, the Rights Section registration as now in dispute are classified under 3 headings, and the grounds of the Objections applicable to them are therein summarised. The northern part of the Unit Land (extending southwards from the boundary between it and CL164 land for about  $1\frac{1}{2}$  miles is lettered "C" on the register map; this part is referred to in the Rights Section registration at Entry No. 96.

#### Course of proceedings

At the beginning of the hearing (17 July) Mr J W Northmore said that as regards Duchy Objection No. 463, his registration at Entry No. 41 "pannage" was by him withdrawn altogether meaning as I understood him not only as to the Duchy part but also as to the remainder of the Unit Land and that he accepted Duchy Objection No. 988 meaning that he contended that I should confirm the registration without any modification other than removing from it "pannage" and the lettered B part.



Next Lady Sayer in support of the registrations at Entry Nos. 5, 6 and 106 gave oral evidence by reference to the statements specified in Part I of the Second Schedule hereto in which she said (among other things) in effect:- This Unit Land case is closely paralleled by CL161 (Brent Moor). As regards the lettered B part Duchy Objection → No. 462 about these registrations has been withdrawn (as has been withdrawn their Objection to similar CL161 registrations). As to their rights on the rest of the Unit Land, there is only one registered Objection No. 648 and for this there is no valid reason and it is answered in the terms as her CL161 statement. In this (Sayer/12), she said (among other things:- The registered venville rights of those she represented are exercisable over the central Forest of Dartmoor and the commons adjoining the Forest, which form a ring around the Forest and have been known from time immemorial as the Commons of Devon. Their status as venville right-holders and their extent over the Commons of Devon were confirmed by the CL148 and CL190 decisions of the Chief Commons Commissioner (1976 and 1977) and a judgment of the High Court (1980) upholding them. → Animals grazing on the rest of the Unit Land cannot possibly be prevented from grazing on the lettered B part or on the Forest itself (CL164) which it adjoins.

Next Mr W J Edmunds gave oral evidence against the claims made by Lady Sayer saying (in effect):- His answer to them was my decision on the matter of the Commons of Sheepstor (CL188) dated 30 June 1983 after a hearing May, July and November 1982. He had been concerned with the Unit Land since 1950 when he left school. As to his position generally he referred me as evidence summarised in my said CL188 decision (he was the Adgister appointed by the Duchy for the South Quarter of the Forest). He did not accept that venville rights as described by Lady Sayer were exercisable over the Unit Land (from which I understood him to except the lettered B part) and they had never been exercised as far as he was aware.

Questioned by Lady Sayer, Mr Edmunds said that he was not present when the Royal Commission on Common Land considered venville rights, although he agreed with her that rights of common over the Forest and Commons of Devon were chaotic. He insisted that notwithstanding the decisions she mentioned, rights over local commons are exercisable only by locals and if there is anything to the contrary in these decisions he was saying that they were wrong.

Next about the Rights Section registrations generally (other than Nos. 5, 6 and 106), Mr Edmunds continued his oral evidence in the course of which he produced the paper specified in Part II of the Second Schedule hereto and said (in effect):- As to Hurrell Objection No. 644, about Entry No. 92 Dean Moor (CL162 and CL180) are not contiguous with the Unit Land, and there had been no grazing on it from Skerraton (strays or at all). As to Hurrell Objection No. 645 about Entry No 97 there had been no straying from CL160 (Aish Ridge) and Mr E Steer (the applicant for the registration) → signed the yellow form specified in the said Part II. As to Hurrell Objection No. 646 about → Entry Nos. 89 and 90, he (the witness) about 2 months ago had discussed No. 89 with Mr H J Caunter, the son of Mr Edward Caunter now deceased who applied for the → registration and he agreed that it could be cancelled; neither Mrs Coaker now deceased who applied for the registration at Entry No. 90 nor her son Mr John Coaker who succeeded her grazed the Unit Land, and about 2 months ago he discussed No. 90 with Mr J Coaker who



agreed that the registration should be cancelled; this discussion with and agreement of Mr Coaker extended also to the registration at Entry No. 91 made on the application of Mrs Coaker of rights attached to land at Slade in Lydford. As to Mr Hurrell's Objection No. 647 about Entry No. 57 rights had not been exercised over the Unit Land from the land at Binnamore and Lower Badworthy in South Brent mentioned in the registration; the grounds of this Objection are "that it should be a straying right from Brent Moor"; notwithstanding these grounds, he (the witness) submitted that the registration should be avoided altogether. As to Hurrell Objection No. 648 about not only Entry Nos. 5, 6 and 106 as above mentioned but also Nos. 69 to 86 inclusive and 113 and 114 (all within paragraphs (B), (F) and (H) of Part II of the First Schedule hereto), as far as he (the witness) knew the rights registered had never been exercised over the Unit Land and the lands to which they were alleged to be attached are all some distance away from the Unit Land.

Next Mr Sturmer who is and has been since 1970 the Land Agent for the Duchy's Dartmoor Estate and has been employed by the Duchy since 1965, gave oral evidence in the course of which he said (in effect):- Duchy Objection No. 462 (rights do not extend to the lettered B part, applicable to 22 of the 30 registrations listed in Part II of the First Schedule hereto including Nos. 5, 6 and 106) was withdrawn except as regards Entry No. 101 made on the application of Mr P G Ansell. The land specified in Entry No. 101 is not (according to the Duchy records) in venville. As to Duchy Objection No. 463 (no pannage, applicable to Entry Nos. 40 and 41), no pigs have ever grazed on the lettered B part; being no oak or beech there they would get nothing. As to Duchy Objection No. 464 (no right for "free warren" on the lettered B part applicable to Entry No. 96) he understood that the Register had been amended so as to give effect to the Objection (my copy is marked "amended 5/1/73"). As to Duchy Objection No. 988 (rights do not exist on the lettered B part applicable to most of the registrations specified in Parts II and III of the First Schedule hereto), this was maintained except as regards Entry No. 79 (applicant Mr J B Townsend of Holne) which is in venville; all the registrations were disputed, and the Duchy made no admissions as to there being properly made over the lettered B part and they would be the subject of further evidence on behalf of the Duchy on the following day of the hearing.

About the evidence of Mr Sturmer, Mr Edmunds said (in effect):- He had never seen on or anywhere near the Unit Land any oak or beech. He agreed that the registrations listed in Duchy Objection No. 988 if not within any other Objection were properly made as regards all the Unit Land other than the lettered B part. He wished Objection No. 1086 made by himself and applicable to Entry No. 130 be treated in the same way as Mr Sturmer had treated Duchy Objection No. 988.

Next Mr Edmunds submitted that all registrations expressed as "to stray" should be avoided altogether whether or not they were within any Objection because straying was not a registrable right. The other registrations to which Mr Hurrell had made no Objection, were he submitted properly made, because Mr Hurrell had before he made his objections a list of the locally accepted registrations prepared by Mr R H Jane and Mr J T French (applicants for the registrations at Entry Nos. 30 and 120) which they believed to be correct; and because since the Objections were made, a Commoners Association had been formed (he, Mr Edmunds was the secretary), and they had been through the list and were satisfied that the registrations of rights attached to lands at Ugborough (as listed in Part III of the First Schedule hereto) were rightly not objected to by Mr Hurrell and were properly made as regards at least the part of the Unit Land south of the lettered B part.

Next at the request of Mr Sturmer I adjourned the proceedings to the following day.



Next (19 July). Mr Sturmer produced the map (Duchy/21) specified in Part II of the Second Schedule hereto showing by straight lines the parts of the Unit Land, Brent Moor (CL161) and Harford Moor (CL195) which the Duchy claimed was of the Forest of Dartmoor. He explained that the evidence in support of this Duchy claim to the Duchy Part would be essentially the same as that of the Brent Moor (CL161) and Harford Moor (CL195) parts. Because I was in the course of hearings about all three Moors, it was agreed by those present or represented at all three hearings that the evidence about to be given in support of these Duchy claims should be treated as given at all three hearings. At page 6 of this decision is an uncoloured copy of the said map showing the said straight lines and marking the parts claimed with the CL Nos of the Register Units; on this copy I have thickened these lines and also the lines of the relevant parts of the boundaries of these Moors and added their names and the name "The Forest" (Register Unit No. CL164) which extends many miles to the north.

Next oral evidence was given by Mr Grahame Haslam who is and has been since 1975 the archivist of the Duchy of Cornwall. He said (in effect) that from the documents kept in the Duchy Archives he deduced that from time immemorial the now relevant part of the boundary of the Forest of Dartmoor had always been treated as a straight line from Huntingdon Cross southwards to the top of Eastern White Barrow and thence a straight line westwards to the top of Western White Barrow, and thence a straight line to where Red Lake (a brook so called which flows down from Red Lake Mire) falls into the River Erme. In the course of his evidence he produced or referred to the documents specified in Part III of the Second Schedule hereto (other than Duchy/32 and 33), and explained and commented on them both in the introductory part of his evidence and in reply to questions by Mr Sampson (he represented the Brent Moor Commoners' Association at the CL161 hearing), Lady Sayer and myself. In the said Part III, I have shortly indicated the parts of the said documents to which Mr Haslam drew attention. It should be noticed that the historical boundary line so deduced by Mr Haslam is not the same as the modern Local Government boundary between South Hams District and West Devon District and between the Parishes; the boundaries of the Unit Land and of the said Register Units Nos. CL164, CL161 and CL195 as registered by Devon County Council as registration authority, follow the District and Parish boundaries.

In the course of the evidence given by Mr Haslam the documents specified in Part IV of the Second Schedule hereto were produced on behalf of the South Brent Commoners' Association, they having, so I understood, been provided by Mr R Savery.

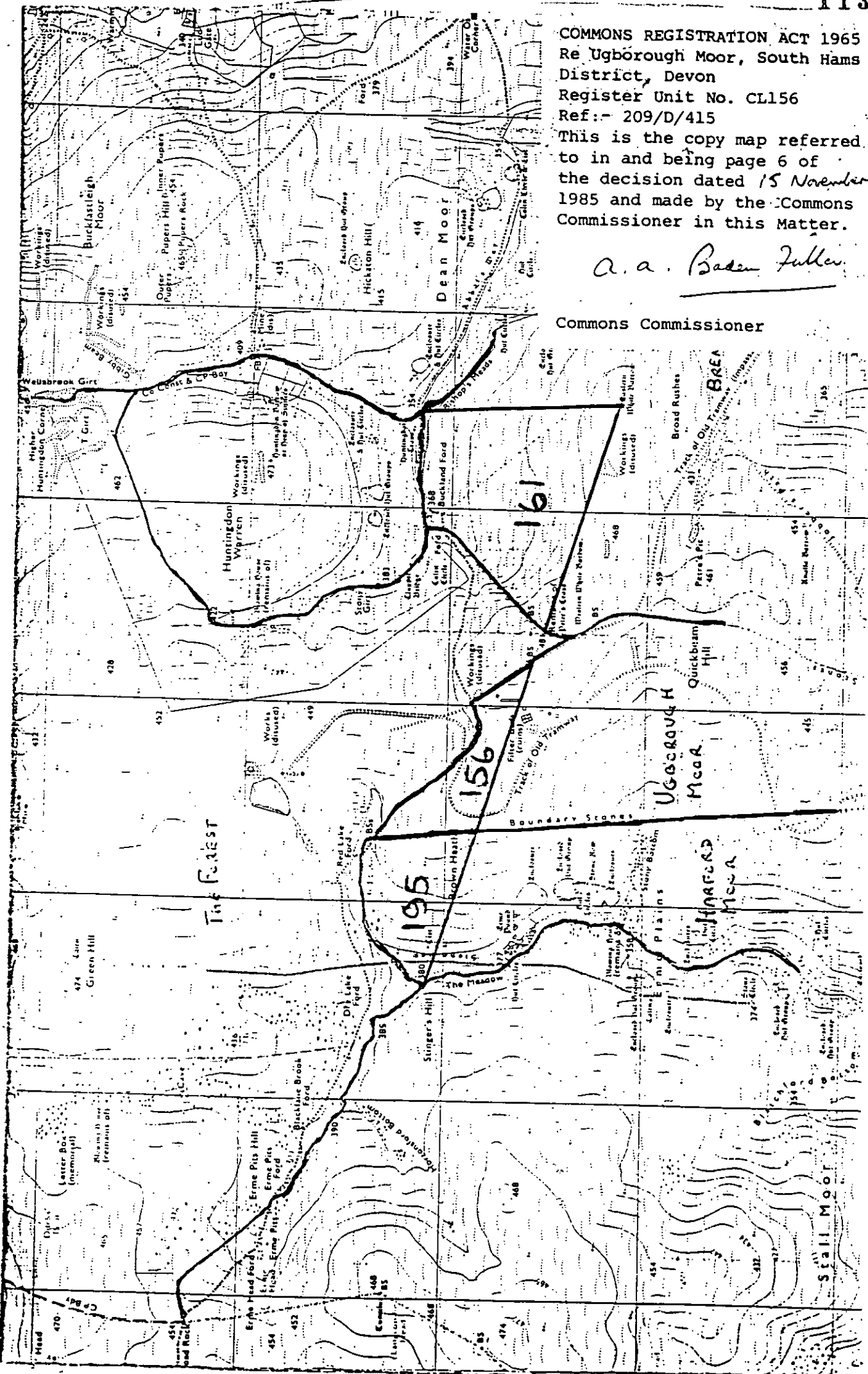
Next Mr Wilfred John Edmunds who has been the Agister of the South Quarter of the Forest since 1963 gave oral evidence in the course of which he referred to the documents (Duchy/32 and 33) specified in Part III of the Second Schedule hereto. Under his 1968 tenancy agreement, he was (? still is) entitled to graze the land wherein specified as described in the words quoted in the said Schedule, and also "to take in stock belonging to other persons to feed off the said land and to collect and retain for his own use all Venville Rents payable in respect of the following Parishes namely Dean Prior, Buckfastleigh West and Holne"; liable to pay a rent; and takes subject to the rights set out in the Schedule to the said agreement (of the Venville Tenants, and others therein specified). He said (in effect):- He had since 1963 in succession to members of his family since 1843 been the Duchy Agister for the part of the Forest by South Brent, Ugborough and Harford. He had always understood the boundary of the part of the Forest to which he was concerned as Agister to be as drawn on the 1968 tenancy agreement plan, being (relevantly) the same as the plan prepared for the Royal Commission by the Dartmoor Commoners' Association (Duchy/33). As to his knowledge and activities as Agister he referred me to the evidence he had given at my 1982 hearing about the Forest of Dartmoor as recorded at page 67 of my decision dated 30 June 1983.

COMMONS REGISTRATION ACT 1965  
Re Ugborough Moor, South Hams  
District, Devon  
Register Unit No. CL156  
Ref:- 209/D/415

This is the copy map referred  
to in and being page 6 of  
the decision dated 15 November  
1985 and made by the Commons  
Commissioner in this Matter.

*a. a. Baden Fuller*

Commons Commissioner





## Forest Part, rights

On the documentary evidence of Mr Haslam and the personal evidence of Mr Edmunds I conclude (no-one at the hearing suggesting otherwise) that the lettered B part of the Unit Land has from time immemorial been treated as part of the Forest of Dartmoor for ownership and many other purposes.

As to the boundary between (a) the Forest and (b) the rest of the Unit Land, of the CL161 land and of the CL195 land being a straight line as drawn on the map being page 6 of this decision:- I feel some doubt whether the documents produced by Mr Haslam show it to be one straight line all the way from Eastern White Barrow to the foot of Red Lake; perhaps it is two or more straight lines; however the angle between them is at the most very small and no-one suggested at the hearing that the exact boundary within a few feet was of any practical importance. It may be that on the land there are boundary stones. In these circumstances, in this Unit Land decision, I adopt as showing the true boundary of the Forest the delineation on the Register map of the land hatched (diagonally) red and lettered B on it.

My said conclusion accords with the Ownership Section registrations which being undisputed are now final. My conclusion is reason enough for my equating so far as I reasonably can the Rights Section registrations over the lettered B part (or "the Forest part") of the Unit Land with the corresponding CL164 registrations.

In my CL164 decision dated 30 June 1983 after a hearing in 1982, I concluded that a number of registrations in such proceedings disputed had been properly made, ~~the~~ the rights having been recognised by the Duchy as being attached to lands in venville and not disputed by anyone else. Mr Sturmer said that the corresponding Unit Land registrations were similarly recognised as being in venville. This is not enough to enable me to equate for all purposes of the Commons Registration Act 1965, the Forest part with the adjoining CL164 land, because of the very many CL164 Rights Section registrations which in my 1983 CL164 decision I decided were properly made, only very few have corresponding registrations in the Unit Land Rights Section. I have no power (it was not at the Unit Land hearing suggested I have) to direct that the Forest Part of the Unit Land be removed from the Land Section of this CL153 Register and by way of transfer included in the CL164 Land Section, or to direct that any of the CL164 Rights Section registrations should be inserted in the Unit Land Rights Section for the first time. So by the Commons Registration Act 1965 the historic connection between the Forest part of the Unit Land and the rest of the Forest of Dartmoor comprised in CL164, has been for ever in part broken. The Act nowhere makes this result altogether unavoidable; but even with the hindsight I have as a result of this Unit Land hearing, I am unable to think of any way in which it could have been prevented by the Duchy or anyone else except at trouble and expense disproportionate to the value of any benefit which could have resulted.

First I consider the outside Ugborough registrations specified in Part II of the First Schedule hereto so far as possibly applicable to the Forest Part. Lady Sayer contended that those at Entry Nos. 5, 6 and 106 were properly made being in Venville and as having been confirmed by my CL164 decision (see CL164 Entry Nos. 123, 124 and 766); Mr Sturmer conceded that they were in Venville as he had



done at my CL164 hearing; nobody contending otherwise, my decision is that these registrations were as regards the Forest part properly made. Mr Sturmer made a similar concession about the other Holne registrations at Entry Nos. 69 to 85 inclusive (see CL164 Entry Nos. 678 to 694 and the West Buckfastleigh registration at Entry No. 86 (see CL164 Entry No. 695), were by my said CL164 decision also confirmed; I have no good reason for making any distinction between these registrations which were not supported at the hearing and those which were supported by Lady Sayer, so my decision is that they too were properly made. As regards the registration at Entry No. 101, Duchy Objection No. 462 was not withdrawn as regards the registrations at Entry Nos. 57, 96, 101, 113 and 114, Duchy Objection No. 988 was not withdrawn and I have some evidence against them in that at my CL164 hearing it appeared that rights attached to lands in South Brent, Ivybridge, Okehampton, and South Tawton are not recognised as being in Venville; however this may be in the absence of any evidence in support of these registrations and of any concession by the Duchy such as Mr Sturmer made as regards the lands in Widecombe-in-the-Moor, Holne and West Buckfastleigh, my decision is that none of these registrations were properly made. The registration at Entry Nos. 89, 91 and 90 are not within any Duchy Objection although they are in question under Hurrell Objection No. 646; they are of registrations attached to land in Lydford and correspond with CL164 registrations at Entry Nos. 742, 743 and 744 which were by my CL164 decision confirmed in the same way as the said Holne registrations; I understood from Mr Edmunds that notwithstanding the grounds of any of the Hurrell Objections, he and the Ugborough Commoners Association had withdrawn any objection as regards the Forest Part to any registration which the Duchy had made no objection; accordingly my decision is that as regards the Forest Part Nos. 89 and 91 were properly made.

Next I consider these registrations of rights "to stray" specified in Part I of the First Schedule hereto so far as possibly applicable to the Forest Part. Mr Sturmer insisted that they were not properly made at least as regards those to which the Duchy had made an Objection, that is as regards all except No. 92; accordingly in the absence of any evidence in support of them, my decision is that all these registrations except as aforesaid were as regards the Forest part not properly made. As regards the excepted registration at Entry No. 92, being of a right attached to land in Dean Prior, I have no note or recollection of Mr Sturmer saying anything about it; however because the CL164 registration at Entry No. 592 corresponding with it, was by my said CL164 decision confirmed with the modifications therein set out, my decision is this registration modified by substituting "graze" for "stray" was properly made as regards the Forest Part.

Lastly under this heading I consider the registrations specified in Part III of the First Schedule hereto so far as possibly applicable to the Forest Part. They are all within either Duchy Objection No. 968 or Edmunds' Objection No. 1086; these registrations being of rights attached to land in Ugborough were not conceded by Mr Sturmer and/or Mr Edmunds and in the absence of any evidence or argument in support of them my decision is that none of them was properly made, as regards the Forest Part.





## Ugborough, grazing from outside

Under this heading I consider the registrations listed in Part II of the First Schedule hereto so far as possibly applicable to the part ("the Ugborough Part") of the Unit Land except the Forest Part.

Of these registrations, those at Entry Nos. 5, 6 and 106 were the only registrations about which there was at the hearing any conflicting evidence and argument, they being supported by Lady Sayer and opposed by Mr Edmunds. These registrations are all within Hurrell Objection No. 648, "That the right does not exist at all"; so the burden of proving their propriety as regards the Ugborough Part falls on those concerned to uphold them. The evidence and arguments offered at the hearing by Lady Sayer considered in isolation were too lacking in precision and too vague without reference to documents to establish the existence of rights. However, I understood her to be referring generally to the documents and other evidence and arguments adduced at a hearing I held in 1982 by her solicitor in support of essentially identical registrations in Register Unit No. CL188 (Commons of Sheepstor); because Mr Edmunds was present at such a hearing and because he at this Unit Land hearing referred to my CL188 decision dated 30 June 1983, I treat all such documents, evidence and arguments as repeated at this Unit Land hearing. In my said CL188 decision I refused to confirm the said registrations for the reasons which were therein set out in part by reference to my CL164 decision of the same date about the Forest of Dartmoor. Such reasons should be treated as repeated herein as applicable to these three Unit Land registrations.

As I understood her Lady Sayer claimed that she as owner of her holding in Widecombe-in-the-Moor had for many years been exercising their Venville rights. Because such exercise might be regarded as enough to establish her claims under the Prescription Act 1832 or under a presumed grant in accordance with *Tehidy v Norman* 1971 2QB 528, I record that as I understood her she was not alleging that any animals from her holding in Widecombe-in-the-Moor had actually grazed on the Ugborough Part. However this may be the distance between the Unit Land and Widecombe-in-the-Moor and Holne and the nature of the CL164 moorland are such that I am unable to ascribe to any grazing done from Widecombe-in-the-Moor or Holne as having been done for the purpose of prescription under the 1832 Act or presumed grant in any relevant way was over the Ugborough Part. Additionally I have the evidence of Mr Edmunds which I accept that no animals either from Widecombe-in-the-Moor or Holne have been seen on the Ugborough Part.

For these reasons my decision is that the registrations at Entry Nos. 5, 6 and 106 were not as regards the Ugborough Part properly made.

As regards the other registrations listed in Part II on the First Schedule hereto, I accept the submission of Mr Edmunds that if they could be considered as being in Venville with any such consequence as was claimed by Lady Sayer, they were not properly made for the reasons set out or referred to in my said CL188 decision. Additionally I had no evidence or argument in support of them and the evidence of Mr Edmunds as above summarised is against them. So my decision is that they too were not properly made as regards the Ugborough Part.



## Ugborough, straying on

Under this sub-heading I consider the registrations listed in Part I of the First Schedule hereto so far as possibly applicable to the Part (the Ugborough Part) of the Unit Land other than the Forest Part.

The registrations at Entry Nos. 93 and 97 are within Hurrell Objections Nos. 644 and 645, the grounds of which put the registrations wholly in question. In the absence of any evidence or argument in support of the registrations my decision is that they were not properly made.

The remaining registrations so listed are not within any Hurrell Objection; nevertheless they are all in question under Duchy Objection No. 988, and notwithstanding the grounds of such Objection are limited to the Forest Part, they are in law wholly in question and I must consider whether they were properly made as regards any of the Unit Land, see re Sutton 1982 1WLR 647 and re West Anstey 1985 2WLR 677. For the reasons given under the headings Straying in my CL164 (Forest of Dartmoor) decision dated 30 June 1983 which reasons should be treated as repeated herein, I consider that a registration including the word "stray" is confusing, and should for this reason be avoided unless some clarifying modification is suggested and the propriety of the registration as so modified is proved. I have no such suggested modification or proof, accordingly my decision is as regards the Ugborough Part they were not properly made. But because persons concerned with these registrations may have failed to attend or be represented at the hearing assuming from the grounds of the Objection that their registrations would be confirmed at least as regards the Ugborough Part, I give to such persons liberty to apply to re-open the hearing so that they can offer evidence and arguments in support of these registrations so far as they concern the Ugborough Part; any such application should be made within the THREE MONTHS period and otherwise as specified in paragraph 4 of the decision table being the Third Schedule hereto.

## Ugborough, grazing within

Under this heading I consider the registrations listed in Part III of the First Schedule hereto so far as possibly applicable to the part (the Ugborough Part) of the Unit Land other than the Forest Part.

As regards the Ugborough Part there was no objection to any of these registrations as a whole, and except as regards pannage mentioned in Duchy Objection No. 463 applicable to Entry Nos. 40 and 41, there was no objection to any part of these registrations. I have the evidence of Mr Edmunds that all these registrations (possibly except as to pannage) were, before Mr Hurrell decided not to include them in any of his Objections, carefully considered by persons with local knowledge and also that they had been all considered by the Commoners Association. They are all of rights attached to lands in Ugborough, over which it is reasonable to suppose rights over Ugborough Moor would have been attached from time immemorial. There being at the hearing no contrary suggestion, my decision is that except for a modification about pannage next mentioned all these registrations were properly made.



The registrations at Entry Nos. 40 and 41 both include "pannage". I have the evidence of Mr Sturmer and Mr Edmunds above summarised against there being any such right over the Unit Land; and at other hearings relating to Register Units in the Dartmoor National Park, I have had evidence against existence of any such right of common anywhere in it. Mr Northmore who applied for the registration at Entry No. 41, agreed to the word pannage being deleted. Duchy Objection No. 463 puts pannage wholly in question, notwithstanding the grounds of it are expressed to be limited to the Forest Part, see re Sutton and re West Anstey supra. For these reasons my decision is that these registrations at Entry Nos. 40 and 41 should be modified by deleting "pannage".

Final

The effect of the decisions herein before contained is set out in the decision table being the Third (and last) Schedule hereto, and such Schedule should be treated as part of this decision.

Because much of this decision relates to persons who were not present or represented at the hearing and is dependent on agreements and statements about which there may be some mistake or error which I ought to correct without putting the persons concerned to the expense of an appeal, I give liberty to apply to any person who might be affected by any such mistake or error. Such application should be made within the THREE MONTHS time limit and otherwise as specified in paragraph 4 of the decision table being the Third Schedule hereto.

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 this decision is sent to him, require me to state a case for the decision of the High Court.

TURN OVER

The registrations at Entry Nos 109 and 110 both include "Piscary, Pannage". Duchy Objection No. 988 puts these registrations wholly in question, notwithstanding that it is limited to the Forest Part, see re Sutton and re West Anstey supra. For reasons essentially the same as those set out in the preceding paragraph I consider that these registrations should be modified by deleting "Piscary, Pannage".

Corrected in red by insertion of  
new paragraph before "Final".

C. A. Baden Fuller

8 January 1987



FIRST SCHEDULE  
(Rights Section registrations)

Notes:- This Schedule does not include the registrations at the Entries next specified: Nos 1, 2, 3, 4, 46, 47, 52 and 95 which being undisputed have become final, Nos 56 and 112 which have been cancelled without any replacement, Nos 59 and 111 which have been superseded by Nos 129 and 128 respectively, and No. 135 because there is no reference to a Commons Commissioner about it.

Part I: Straying

Note:- All in this Part are expressed as "to stray"; in brackets are the names of the applicants and the Register Units from which rights to stray are claimed.

Numbers:- 26 (John Colwill from CL 195), 27 (Phyllis Margaret Gillard from CL 195), 32 (Veronica Catherine Ferguson from CL 161), 33 (Roland Edward Stuart Ferguson from CL 161), 34 (Roland Edward Stuart Ferguson from CL 161), 35 (Thomas Knyneton Darntey Anderson from CL 161), 36 (John Henry Steer from CL 161), 37 (Anthony Seeby Church Sanderson from CL 161), 38 (Esmond Marshall Kingston Jellicoe from CL 161), 39 (Esmond Marshall Kingston Jellicoe from CL 161), 44 (John Henry Pearse from CL 195), 45 (Cyril Charles Henry Worth from CL 161), 49 (Herbert Edward Coles and Rosamond Isabel Coles from CL 195), 50 (Mary Louise Cole from CL 195), 54 (Mary Florence Douglas Pennart), 55 (George William Barthrop Baleman from CL 161 and CL 187), 58 (John Marwood James Hannaford from CL 161), 60 (South Brent Feoffees from CL 161), 64 (Executors of the will of Sarah Pearse from CL 161), 65 (John Luce from CL 161 and CL 187), 87 (Ernest Steer and Florence Steer from CL 161), 88 (Phyllis Ruby Cleare from CL 161), 92 Michael Burton Ogle from CL 162 and CL 180), 93 (John Henry Codd from CL 161 and CL 187), 94 (John Henry Cods from CL 161 and CL 187), 97 (Ernest Steer from CL 60 and CL 161), 98 (Stanley John Warren from CL 161), 100 (Thomas Wilfred Muggridge from CL 161), 108 (Semaj John Dance and John Henry Dance from CL 161, CL 187, CL 164 and CL 218), 115 (William Matthews and Annie Amelia Matthews from CL 195), 117 (John Trevarthen French from CL 161), 122 (John Savery from CL 161), 128 (Gerald Green and Michael Burton Ogle from CL 161), 129 (Horace Arthur Cox and Mary Burrows Cox from CL 161), 132 (John Elliott and Ethel May Hodson from CL 161 and CL 187), and 134 (Frederick George Hard from CL 161).

Representation: Mr J T Cole as successor of Messrs H E Coles and R I Coles (No. 49) and of Mr M L Cole (No. 50) attended in person.

Objections:- Hurrell No. 644, the right does not exist at all; applicable to No. 93. Hurrell No. 645, no straying right from Aish Ridge as this common is enclosed; the right does not exist at all; applicable to No. 97. Duchy No. 988, right does not exist on portion edged and hatched red (the Forest Part) applicable to all registrations listed in this Part except No. 92.

Part II: registrations of rights  
attached to land outside Ugborough

Note:- This Part does not include any registrations specified in Part I; in brackets names of applicants.



(A) Widcombe-in-the-Moor:- No. 5 (Guy Bouchier Sayer and Sylvia Rosalind Pleadwell Sayer).

(B) Holne:- Nos 6 (David Miller Scott); 69 (Holne Parish Lands Charity); 70 (David Miller Scott); 71 (H D and E M Pearce); 72 (Lewis Olver Perkins); 73 (Alexander George Cousins); 74 (Philip Robert Layne-Joynt); 75 (Robert Ewing Adam); 76 (Leonard Jackson); 77 (Edwin Hooper Woodward and Isabella Amelia Woodward); 78 (Francis Arthur Perryman); 79 (James Barnes Townsend); 80 (Florence and Albert Edward Tozer); 81 (Raymond George Mortimore and Anne Bouverie mortimore); 82 (Percy Albert Norrish); 83 (George Ernest Jonathon Cawthorn); 84 (Hugh Clarkson and Mary Isabel Clarkson); 85 (Mary Isabel Clarkson); 106 (Eleanor Nancy Smallwood).

(C) South Brent:- Nos 57 (Thomas Cole and Lilian mary Cole).

(D) Lydford Nos 89 (Edward Caunter), 90 (Mildred Theresa Irene Coaker) and 91 (as modified 6 May 1971), Mildred Theresa Coaker).

~~(E) Ermington (Ivybridge):- No. 96 (Grahame Stewart Mills, as amended 15/4/71 and 5/1/73, over part of Unit Land lettered C on the Register Map).~~

(F) West Buckfastleigh:- No. 86 (William Henry Norrish).

(G) Okehampton:- No. 101 (Peter George Ansell); owner part tenant remainder; Upcott House; Estovers, turbarry, piscary, pannage, shooting, take sand, gravel earth and stone over that part of the land comprised in this register unit as lies within the Forest of Dartmoor.

(H) South Tawton:- Nos 113 (Ellen Amy Joyce Worthington) and 114 (Vera Ellen Knapman).

Representation:- Lady Sayer attended in person for herself and Sir G B Sayer (No. 5); Sir James F Eberle as successor of D M Scott (No. 6) and Mrs E M Smallwood (No. 106) were also represented by Lady Sayer.

Objections:- Duchy No. 462 applicable to Nos 5, 6, 69 to 86 inclusive, 101 and 106, rights do not exist on lettered B part (the Forest Part). Duchy No. 464 applicable to No. 96, Right for Free Warren does not exist on lettered 'B' part (the Forest Part). Hurrell No. 646 applicable to Nos 89 and 90, not a grazing but a straying right. Hurrell No. 647, applicable to No. 57, not a grazing but a straying right. Hurrell No. 648 applicable to Nos 5, 6, 69 to 86 inclusive, 106, 113 and 114, right does not exist at all. Duchy No. 988 applicable to Nos 57, 79, 96, 113 and 114, right does not exist on portion edged and hatched in red (the Forest Part).

Part III: registrations of rights  
attached to lands in Ugborough

Note: This Part does not include any registrations specified in Parts I and II above. In brackets the names of the applicants and the land to which rights are attached.



Numbered:- 7 (Robert Edward Skelley), OS Nos 1700 etc), 8 (William Anthony Daniels, Filham Moor Farm), 9 (Henry John Daniels, Yolland Brook Farm, Bittaford), 10 (Nicholas Cawrse and Avrilla Lary Clemens Cawrse, Ware Farm), 11 (Harry John Ridgway, Bittaford Road), 12 (Florence Douglas Pennant, Hookmoor, Wrangston), 13 (Aubrey Allen Rogers and Margarita Opal Vivian Rogers, White House Farm and Forder Farm), 14 (Victor Lobb, Wrangston), 15 (Gladys Grace Mitchell, Palace Fields Filham), 16 (Edward Thomas Mitchell, Ladywell Farm), 17 (replaced by Nos 138, 142 and 143, Humphrey William Woolcombe and another as trustees of Thomas Waring Colley deceased, Wrangston Manor Farm), 18 (Francis Seymour Hurndall-Waldron, Black Barn Farm, Wrangaton), 19 (Violet Dalby, Crookety, Wrangaton), 20 (Daniel Ford Northmore, Wood Farm), 21 (John Henry Smerdon, OS Nos 177 etc), 22 (John Henry Smerdon, OS Nos 957 etc), 23 (Thomas Cole, West Peeke Farm, Bittaford), 24 (Frank Percival Coker, OS Nos 727 and 728), 25 (Harry Richman and Samuel Richman, Broadaford Farm); 28 (John Henry Smerdon, Godwell Estate), 29 (William Hayward Hosking, North Park Farm), 30 (Robert Henry Jane Monksmoor), 31 (Esmond Marshall Kingston Jellicoe, Cheston Farm), 40 (Noah Reeve Heard, Higher Broadaford, OS Nos 932 etc), 41 (James William Northmore, Higher Broadaford OS Nos 6293 etc), 42 (Miles Grindrod, Cantrell Farm), 43 (Tom Kenneth George Stephens and Percy Arthur Stephens, Zeaston Farm), 48 (Arthur Francis Luscombe and William Thomas Luscombe, Stone Farm), 51 (Thomas Wakeham, Cannamore), 53 (Arthur Francis Luscombe and William Thomas Luscombe, Merrifield, North Filham), 61 (South Brent Feoffees, land at Wrangaton), 62 (South Brent Feoffees, Little Cheston Farm), 63 (Charles Worth and John Hewett Cockram, Dunwell Farm), 66 (Robin Grant Prowse, Langford Barton Farm), 67 (Eden James Hungerford Morgan, Filham House Estate and part Broadaford Farm), 68 (replaced by Nos 145 and 146, Patricia Mary Donner, Rutt Farm), 99 (William Hayward Hosking, Lower Bowcombe Farm), 102 (Joseph Grigg Kellock, trustee of J A F Smerdon, deceased, Torrhill Farm), 103 (John Henry Smerdon, OS Nos 920, 880 and 895), 104 (John Henry Smerdon, Higher Newlands), 105 (John Henry Smerdon, Moorhedge Farm), 107 (Madeline Amy Henley, Moor Park, Wrangaton), 109 (Stuart Thomas Parnell, 1 Lanteglos Close, Bittaford), 110 (William Henry Davies and Muriel Maud Davies, 5 Lanteglos Close), 116 (Herbert Alfred French, John Trevarthen French and Geoffrey Herman French, Glazecombe Farm and Newland Brakes), 118 (Herbert Alfred French, Nancy Harriet French, John Trevarthen French and Geoffrey Herman French, Corrington Farm), 119 (Reginald Jeffery Hine, Shute Farm), 120 (Henry George Hurrell and John Trevarthen French, Owley Farm), 121 (Henry George Hurrell and Reginald Jeffery Hine, part Cheston Farm), 123 (Frank Ernest Robinson, Moorlands, Wrangaton), 124 (Henry George Hurrell and Lilian Hurrell, Moorgate), 125 (Henry George Hurrell and Terence Rodney Stockman, East Peeke Farm), 126 (Royal Agricultural Society of England and L Ryan, Stowford Farm in Harford and Ivybridge and part Middle Farm in Ugborough), 127 (George Anthony Rex Fox of Cheston Cottage, Lower Cheston, Wrangaton), 130 (Hedley John Jenkins, Meadowsides, Broadaford), 131 (Denis John Moore, Cefn Coed, Bittaford), 133 (Ernest William Hancock and Kathleen Elizabeth Hancock, land at Lower Cheston and part The Downs).

Representation:- Mr J W Northmore (No. 41) attended in person.

Objections:- Duchy No. 463 applicable to Nos 40 and 41, pannage does not exist on lettered 'B' part (the Forest part). Duchy No. 968 applicable to all registrations in this part except No. 130, rights do not exist on portion edged and hatched in red (the Forest part). Edmunds No. 1086 applicable to No. 130, rights do not exist on hatched in blue on plan A (the Forest Part).

17th, Strada Farm



SECOND SCHEDULE  
(Documents produced or referred to)

Part I: by Lady S R P Sayer

- Sayer/11            --            Statement about CL 156 on behalf of Sir Guy and Lady Sayer, Admiral Sir James Eberle and Mrs Smallwood in part by reference to statement about CL 161.
- Sayer/12            --            Statement about CL 161 on behalf of the same persons prepared for a CL 161 hearing which had been commenced but had not yet been concluded (the statement actually produced at the CL 161 hearing had some matters additional to that produced at this Unit Land hearing).

Part II: by Mr W J Edmunds

- WJE/1              --            Paper (quarto) summarising objections and tabling the registrations which ought to be avoided and confirmed.
- undated        Yellow form signed "E Steer" addressed to Clerk of the Council, County Hall, referring to "Obj 645", and agreeing to his registration Entry no. 97 being cancelled.

Part III: on behalf of the Duchy

- Duchy/21            1975           OS map 1/25,000, Buckfastleigh marking location of Duchy claims.
- Duchy/22            --            Pages 5 to 9 from "Old Map of Dartmoor" (an octavo booklet) comprising:-  
  
"Perambulation 24 Henry III, 1240.  
Printed from the copy on the back of the original map: ... et sic per Wester Welbroke usq. cadit in Auena. Et inde Linealit usq. ad Yester Whyteburghe. Et inde Linialit usq. ad la Redelake, ubi cadit in Erme, ...  
.....  
Perambulation of Dartmoor Forest  
24 Henry III AD1240. Extracted from Risdon's Survey of Devon.  
(as above) .....  
Perambulation of the Boundaries of Dartmoor Forest, 24 Henry III AD1240. --- Extracted from Rowe's Dartmoor.  
(as above)"



- Duchy/23 1540 Copy map showing "Foresta de Dartmore" as a circle, and outlining River Avon and marking on the circumference "Ester Whiteburg".
- Duchy/24 ?  
1894 Printed Extract entitled : "Presentment of the Jury at a Survey Court for the Forest of Dartmoor AD1609. --- Extracted from Rowe's Dartmoor.
- "... so by the same Wester Wellebrooke until it falleth into Owne, al's Aven, and from thence linyallie to Easter Whitaburrowe and from thence Liniallie to Redlake foote whir it falleth into Erme ..."
- Duchy/25 13 October  
1786 The Manor of Lydford and Forest of Dartmore. At a Court of Survey ... The Jurors returned ... First they present that the bounds of the said Forest of Dartmore have been used and accustomed to be ... from thence is West Wellebrook head and so down the said Brook will it fall ... (?) ... Owen or Avon by Huntingdon Cross, from thence to East Whettaborough, from thence to Redlake foote where it falls into the Erme and thence up to Erme head ..."
- Duchy/26 1808 "A plan of the Forest of Dartmoor. The property of His Royal Highness the Prince of Wales endorsed (describing the several Newtakes etc By Thomas Gray 1808 or ... (illegible)."
- Part 10 of map shows straight line from foot of "Western Wellbrook" where it joins "Aven" to an asterisk ( $\frac{1}{2}$ " diameter) marked "East Whiteaborough" and thence a straight line westwards.
- Duchy/24 bis 21 September  
1867 Deed made between (1) HRH Albert Edward Prince of Wales ... and (2) Henry Rivers and Henry Bowen Rivers defining the respective rights of HRH in respect of the Manor of Lydford and H and HB Rivers in and over Harford Moor ... The Duchy of Cornwall Management Act 1865 "... which said Moor is bounded as follows that is to say on the north by the Forest of Dartmoor the boundary of which in that locality is an imaginary straight line drawn from the point where Redlake falls into the Erme in the direction of the Tor or Beacon called Western Wittaborough





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... more particularly defined on plan annexed ... orange border ..." The annexed plan marks orange a straight line from Easter Wittaborough to Western Wittaborough and another straight line from Western Wittaborough nearly (a little northwards) producing such last mentioned line. Enrolled in the Office of the Duchy 2 December 1867.

- Duchy/27                    16 January 1935            Copy conveyance between Ivy Constance Meynell and The Kingsbridge & Salcombe Water Board (same as FGC/1 above).
- Duchy/28                    --                    Copy memorandum on said conveyance (as on FGC/1).
- Duchy/29                    3 November 1976            Letter from South West Water Authority to Farrer & Co "... In view of information produced, the Authority agrees to forego any claim of title to the area coloured red on the attached plan ...".
- Duchy/30                    --                    Paper (35" x 8", printed) of "Various Records of the Perambulation of The Forest of Dartmoor from 1240 AD", "Perambulation of 1608", Evidence 1689, 1699 and 1702, 1826". Parchment ... Ed III and extract "Feoda in Capite, Hen VIII.
- Duchy/31                    1970  
2nd imp  
1977                    Extract (pages 279 and 280 from John Somer Cocks, Dartmoor: New Study (printed book):- Map illustrating the Paper on "The Bounds of the Forest of Dartmoor" by Arthur B Prowse (Devon Association July 1892) and (at page 279) "In 1240 the next bound is Eastern Whitebarrow ... The parish boundary is now drawn to Western. There does not seem to be much doubt that historically the lower but more conspicuous Eastern Witebarrow is correct ...".
- Duchy/32                    10 June 1968            Tenancy agreement between The Lord Warden and Council of HRH Charles Prince of Wales Duke of Cornwall and Wilfred John Edmunds ("the Grazier"): entitling the Grazier "to graze with cattle and sheep and horses the land being a portion of the South Quarter of the Forest ... shown by pink colour on the plan attached ..." The plan shows the southeast boundary as a straight line from the Avon south to Eastern Whitebarrow and then a nearly straight line westwards through Western Whitebarrow to where the Red Lake brook joins the River Erme.



Duchy/33

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Map "Dartmoor, the Forest and Adjacent Commons being the same as Appendix I to the Memorandum of Evidence submitted by the Dartmoor Commoners' Association and by them considered on 30 April 1957.

Part IV: on behalf of South Brent Commoners' Association

Savery/1	1557	(?) Inquisition (put to Mr Haslam when questioned).
Savery/2	1892	Map (another copy of Duchy/31 not marked).
Savery/3	1856	Extracts from Samuel Rowe; perambulation of Forest of Dartmoor; Second Edition; Title Page and pages 176, 177, 178 and 179, 328, 329, 330 and 331.

THIRD SCHEDULE  
(Decision table)

1. As to the Rights Section registrations listed in Part I of the First Schedule hereto for the reasons set out under the heading Ugborough, straying on, and added to under the heading Forest Part rights:-

(A) I CONFIRM the registration at Entry No. 92 with the MODIFICATION in column 4 for the word "stray" substitute "graze", and for the words "the whole of the land in this register unit..." to the last word in this column, substitute "the part of the land comprised in this register unit hatched red and lettered B on the register map".

(B) I REFUSE to confirm the registrations at Entry Nos. 93 and 97.

(C) Subject to the liberty to apply granted under the heading Ugborough, straying, I REFUSE to confirm the registrations at the following Entry Nos. (being all the others specified in the said Part I): 26, 27, 32, 33, 34, 35, 36, 37, 38, 39, 44, 45, 49, 50, → 54, 55, 58, 60, 64, 65, 87, 88, 94, 98, 100, 108, 115, 117, 122, 128, 129, 132 and 134.

2. As to the Rights Section registrations listed in Part II of the First Schedule hereto, for the reasons set out under the heading Ugborough, grazing from outside and added to under the heading Forest Part rights:-

(A) I CONFIRM the registrations at Entry Nos. 5, 6, 69 to 86 inclusive, 89, 90, 91 and 106 with the MODIFICATION in column 4 for the words "over the whole of the land in this register unit", substitute the words "over the part of the land in this register unit hatched red and lettered B on the register map".

(B) I REFUSE to confirm the registrations at Entry Nos. 57, ~~96~~ 101, 113 and 114.



and in column 4 of Entry Nos 109  
and 110 delete "Piscary, Pannage".

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3. As to the Rights Section registrations listed in Part III of the First Schedule hereto, for the reasons set out under the heading Ugborough, grazing within, as added to under the heading Forest Part, rights:-

I CONFIRM with the MODIFICATIONS next specified the registrations at the following Entry Nos. (being all listed in the said Part III): Nos. 7 to 25 inclusive, 28, 29, 30, 31, 40, 41, 42, 43, 48, 51, 53, 61, 62, 63, 66, 67, 68, 99, 102, 103, 104, 105, 107, 109, 110, 116, 118, 119, 120, 121, 123, 124, 125, 126, 127, 130, 131 and 133 (including Nos. 138, 142 and 143, Nos. 148 and 149 and Nos. 145 and 146 which respectively have replaced Nos. 17, 31 and 68); first, as regards all such Entry Nos. modified in column 4 after the words: "on the whole of the land in this register unit" insert "except the part of such land hatched red and lettered B on the register map"; and secondly in column 4 of Entry Nos. 40 and 41, delete "pannage",

4. Any application under any liberty to apply in this decision granted should be made within THREE MONTHS from the date on which notice of this decision was sent to the persons entitled to have it, but so that application may be made to a Commons Commissioner to enlarge this three month period. Any such application should in the first instance be by letter to the Clerk of the Commons Commissioners stating the alteration in this decision which the applicant considers should be made and the evidence (identifying the documents relied on) which would be adduced if the Commissioner directs a further hearing. A copy of the application should be sent to any person who might be adversely affected by it being granted and also to the County Council for their information as Registration Authority. As a result of the application the Commons Commissioner may direct a further hearing unless he is satisfied that the error or mistake is obvious and all those concerned are agreeable. Of such further hearing notice will be given only to the persons who on the information available to the Commons Commissioner appears to him to be concerned with the registration in question. Any person wanting to be given notice of any further hearing should by letter inform the Clerk of the Commons Commissioners as soon as possible specifying the registration a further hearing about which he might wish to attend or be represented at.

Dated the 15<sup>th</sup> — day of November 1985.

A. A. Baden Fuller

Commons Commissioner

Corrected in accordance with paragraph 2 of my second decision dated 17 March 1986

A. A. Baden Fuller  
29 October 1986

Pursuant to my ~~first~~ decision of 29 October 1986 further corrected on page 11 and this page.

A. A. Baden Fuller  
8 January 1987

After the words "except the part of such land hatched red and lettered B on the register map"

(96)