



COMMONS REGISTRATION ACT 1965

Reference No. 216/U/12

In the Matter of Cat's Hill,  
Stanstead Abbots, East Hertfordshire  
District, Hertfordshire

DECISION

This reference relates to the question of the ownership of part of the land known as Cat's Hill, Stanstead Abbots, East Hertfordshire District being the part of the land comprised in the Land Section of Register Unit No. CL 280 in the Register of Common Land maintained by the Hertfordshire County Council of which no person is registered as the owner either the Land Registration Acts 1925 to 1971 or under section 4 of the Commons Registration Act 1965.

Following upon the public notice of this reference Mr Henry Alexander Fowell Buxton claimed (his solicitors letter of 11 September 1979) 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 Hertford on 14 January 1981. At the hearing Mr H A F Buxton was represented by Mr G E Bowden solicitor with Bircham & Co, Solicitors of Westminster.

The land in this Register Unit comprises (according to the Register) 1.29 hectares (3.18 acres). The greater part, an approximately triangular area, is situated at the junction of the road (A414) from Stanstead Abbots to Roydon with the road to Hunsdon, being bounded by these roads on its south and its northwest sides; out of this triangular area is excepted (not included in the registration) a rectangular area of about  $\frac{1}{2}$  an acre (being lands held with some cottages). The remaining and less part is a strip about 100 yards long on the opposite (northwest) side of the Hunsdon Road; the title to this part is registered at H M Land Registry under Title No. HD 60397. On this reference I am concerned only with the said greater part.

Mr Bowden in the course of his evidence produced the documents specified in the Schedule hereto. He contended (rightly I think) that by these the title of Mr H A F Buxton to the Manor of Stanstead Abbots was regularly deduced from 1950, that 1829, 1867 and 1901 documents showed that Cat's Hill was reputed to be waste land of the Manor and that the Cat's Hill therein referred to is the land with which I am concerned.

On this evidence I am therefore satisfied that Mr H A F Buxton is the owner of the land, with which I am concerned, and I shall accordingly direct the Hertfordshire County Council, as registration authority, to register Mr Henry Alexander Fowell Buxton of Mardocks Hill, Wareside, Ware, Hertfordshire as the owner of the land under section 8(2) of the Act of 1965.



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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.

## SCHEDULE

- 1829 Particulars of Sale by auction to be held on 12 August 1829 of valuable Manor of Stanstead Abbots (otherwise Stanstead Baesh) with fines heriots ... piece of waste land called Cat's Hill with ornamental trees grown thereon ... and valuable freehold estate ... in all 460 acres.
- 11 April 1901 Letter to Thos. Fowell Buxton Esq from Thomas Hunt (Builder & contractor), saying Mr Prior desirous of draining cottages, on the upper road at Cat's Hill "asks your permission ... as Lord of the Manor" to lay pipe drain across the triangular piece of ground.
- 23 May 1901 Letter to Stuart Trotter from Thos. Hunt saying Mr Prior accepts Mr Buxton's *attained* conditions; ~~with~~ <sup>with</sup> conditions, <sup>plan</sup> (showing line of drain across Cat's Hill) and <sup>maps</sup> (marking land as "Lord of the Manor").
- 23 January 1867 Indenture by which Henry Cox Wilkinson conveyed to Thomas Fowell Buxton the Manor of Stanstead Abbots otherwise Stanstead Baesh and lands particularised.
- 25 February 1949 Probate of will of Henry Fowell Buxton (he died 16 January 1949).
- 22 February 1950 Assent by his personal representatives in favour of John Fowell Buxton upon the trusts of his will of lands as described in the Schedule (this included the said Manor "together with rights of fishery and other appurtenances thereto belonging").
- 21 August 1975 Probate of will of John Fowell Buxton (he died 27 March 1970) limited to settled land under the will of Henry Fowell Buxton.



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8 October 1975

Assent by his person<sup>d</sup> representatives in  
favour of Henry Alexander Fowell Buxton of  
the Manors including Stanstead Abbots.

Dated the 30<sup>th</sup> — day of *January* 1981

a. a. Bader Fuller

Commons Commissioner