

COMMONS REGISTRATION ACT 1965



Reference No. 233/U/114

In the Matter of Wetley Moor (part),
Plot No. 153, Caverswell, Staffordshire

DECISION

This reference relates to the question of the ownership of land known as Wetley Moor (part), Plot No. 153, Caverswell, being a part of the land comprised in the Land Section of Register Unit No. CL 25 in the Register of Common Land maintained by the Staffordshire 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 T A Dale 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 Stafford on 15 March 1983.

At the hearing Mr Dale was represented by Mr J Moxon, Solicitor.

The land the subject of the reference was conveyed to Mrs Mary Holdcroft by an indenture made 3 August 1920 between (1) Romer Williams, Lewin Charles Cholmeley and George Herbert Heaton (2) The Legal and General Assurance Society Ltd (3) Sir George Guy Chetwynd bt (4) G H Heaton and L C Cholmeley (5) Mary Holdcroft. Mrs Holdcroft died on 26 December 1930 and her will was proved on 4 February 1931 by the executors, Mr C Boydon and Mr M Wain. The land was conveyed to Mr N Dale by a conveyance made 30 June 1932 between (1) Charles Boydon and Matthew Wain (2) Nathan Dale. Mr Dale died intestate on 4 July 1948 and letters of administration of his estate were granted to Mrs Mary Jane Dale, his widow and another Mr Nathan Dale. Mrs Dale died on 4 January 1982 and by an assent made 2 July 1982 Mr Nathan Dale assented to the vesting in Mr Thomas Arthur Dale of the land in question.

On this evidence I am satisfied that Mr T A Dale is the owner of the land and I shall accordingly direct the Staffordshire 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

13th

day of

March

1983

Chief Commons Commissioner