

JW



COMMONS REGISTRATION ACT 1965

Reference No. 206/U/218

In the Matter of East Moor (part), Altarnun,
Cornwall

DECISION

This reference relates to the question of the ownership of land known as East Moor (part) Altarnun, being the part of the land comprised in the Land Section of Register Unit No. CL.108 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 Mr W Smith 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 Bodmin on 4 July 1984. At the hearing Mr Smith was represented by Mrs J H B Parnall, Solicitor, and I gave leave to Mr A Archer-Lock to represent his sons, Mr C J Archer-Lock and Mr P R Archer-Lock.

Mr A Archer-Lock said that the Archer and Rodd families had enjoyed the ownership of the land in question for many years, and that the land is held in undivided shares by his sons on the one part and by the Rodd Trustees on the other part. Mr Archer-Lock, however, produced no evidence in support of this statement.

On the other hand, Mr Smith was able to produce a good title. The land in question was included in the parcels of a Conveyance made 14 February 1969 between (1) Henry William Matthews (2) Wesley Smith. There is a good root of title in a conveyance made 30 November 1962 between (1) Iris Mary Spicer (2) H W Matthews and Mr Smith has earlier deeds going back to 1877.

On this evidence I am satisfied that Mr Smith is the owner of the land, and I shall accordingly direct the Cornwall 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

23rd

day of

July

1984

Chief Commons Commissioner