



COMMONS REGISTRATION ACT 1965

Reference No. 210/U/24

In the Matter of Land north of Durweston Bridge,  
Stourpaire, Dorset

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DECISION

This reference relates to the question of the ownership of land north of Durweston Bridge, Stourpaire, being the land comprised in the Land Section of Register Unit No. CL 246 in the Register of Common Land maintained by the Dorset 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 Moger and the Trustees of E Dimond, deceased claimed to be the freehold owners of parts 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 Dorchester on 4 March 1980.

At the hearing Mr J W Blanchard, Solicitor, appeared on behalf of Mr Moger and the Trustees.

The land in question consists of two areas on either side of the line of a former railway. The area to the south-west was vested in the Trustees by an assent made 28 October 1953 by Iva May Dimond and Tom Dimond, the executors and trustees of Edgar Dimond, deceased. The testator had a good root of title in an indenture made 8 December 1924 (1) Claud Berkeley, Viscount Portman (2) Edwin Wilfrid Stanyforth and Egremont John Mills (3) Percy Rowland.

The area to the north-east was conveyed to Mr Moger by a conveyance made 26 July 1972 between (1) The British Railways Board (2) Rupert Moger. The vendors had a possessory title as appears from a statutory declaration made 16 April 1971 by George Kirkman, the land having been acquired in 1875 by the former Somerset and Dorset Railway Company.

On this evidence I am satisfied that Mr Moger and the Trustees are the owners of the respective parts of the land, and I shall accordingly direct the Dorset County Council, as registration authority, to register them as the owners of those parts 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

March

1980

Chief Commons Commissioner