



In the Matter of Aldbury Common, Aldbury
Hertfordshire

SUPPLEMENTARY DECISION

This Decision is supplemental to the Decision of G D Squibb, Esq., Q.C., Chief Commons Commissioner dated 22 March 1985 and relates to a small part of the land as to the ownership of which Mr Squibb was not satisfied.

At the hearing it appeared that the conveyance to David Victor Bonsor of part of the land contains a memorandum that a small area at the south-eastern extremity of his land was conveyed to Frederick Alexander Lewin on 9 August 1969. Mr Squibb was informed that Mr Lewin's successor in title was probably Mr P R Carver. However a letter addressed to Mr Carver at his last known address on 20 February 1985 elicited no reply. Mr Squibb accordingly gave his decision on 22 March 1985 stating that he was not satisfied as to the ownership of this land. On 1 May 1985 Mr Squibb retired.

On 30 May 1985 the Clerk to the Commons Commissioners received a letter from Messrs. Beachcrofts saying that they had recently been instructed by Mr P R Carver and enclosing certain deeds.

On 10 June 1985 Mr A A Baden Fuller, Chief Commons Commissioner, directed under Regulation 29 of the Commons Commissioners Regulations 1971 that these proceedings should be continued by me.

I have examined Mr P R Carver's deeds which include a certified copy of a conveyance dated 9 August 1967 whereby David Victor Bonsor conveyed to Frederick Alexander Lewin land in the parish of Aldbury amounting to 36 poles or thereabouts together with the dwelling-house erected thereon known as Moneybury Cottage delineated on a plan. One of the deeds to which the vendor acknowledges the right of production is the conveyance of 3 December 1947 from Pierre Amadee de Savoie-Caragnon to David Victor Bonsor referred to by Mr Squibb in his decision. I am satisfied that the land conveyed to Mr Lewin by this conveyance is the remainder of the land in CL.73 as to the ownership of which Mr Squibb was not satisfied.

Mr Carver's solicitors also produced certified copies of the probate dated 17 February 1983 of Mr Lewin's will to Stephen Brian Wegg-Prosser and Peter Raymond Carver and an assent dated 23 June 1983 by those executors to Peter Raymond Carver.

On that further evidence I am satisfied that Peter Raymond Carver is the owner of the small piece of land at the south-eastern corner of the northern part of CL.73 and shall accordingly direct the registration authority to register him as owner.



-2-

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

11th

day of

June

1985

Peter Laydon-Davis

Commons Commissioner