



In the Matter of The Black Allotment, Múker,
North Yorkshire

Decision

This reference relates to the question of the ownership of land known as The Black Allotment, Múker, being the land comprised in the Land Section of Register Unit No. CL.124 in the Register of Common Land maintained by the North Yorkshire County Council of which no person is registered under section 4 of the Commons Registration Act as the owner.

Following upon the public notice of this reference no person claimed to be the freehold owner of the land in question and no one 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 Richmond on 9 June 1982. At the hearing Mr M Gillibrand, Solicitor, appeared on behalf of Earl Peel and other persons claiming to be entitled to undivided shares in the land in question.

The land in question has an area of 109 ac. and was formerly in the ownership of William Alderson, whose will, dated 20 May 1828, was proved on 26 December 1828. Mr Alderson left 45 ac. of the land to one person and 30 ac. to another, and the remaining 43 ac. fell into residue. The areas of 45 ac. and 30 ac. were not defined in the will, nor has any partition since been made. There seems to be some doubt as to the identity of the present owners of some of the undivided shares, but there is no doubt that the land is held in undivided shares, so that, being open land, the legal estate is vested in the Public Trustee by virtue of para. 2 of part V of the First Schedule to the Law of Property Act 1925.

On this evidence I am satisfied that the Public Trustee is the owner of the land, and I shall accordingly direct the North Yorkshire 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

22^d

day of

July

1982

[Signature]
Chief Commons Commissioner

