



COMMONS REGISTRATION ACT 1965

Reference No.29/D/26

In the Matter of Russell's Water Common,
Pishill-with-Stonor, Oxfordshire (No.2).

DECISION

This dispute relates to the registration at Entry No.6 in the Rights Section of Register Unit No.C.L.69 in the Register of Common Land maintained by the Oxfordshire County Council and is occasioned by Objection No.24 made by Lord Camoys and noted in the Register on 18th September 1970.

I held a hearing for the purpose of inquiring into the dispute at Oxford on 30th January 1974. The hearing was attended by Mr. H.P. Hillyer, solicitor, for Mrs. V.F. Marshall, the applicant for the registration, and Mr. J. Jopling, of counsel, for the Objectors.

The applicant is provisionally registered as the owner of a right of common of pasture, attached to Barn Cottage, Maidensgrove. Mr. Hillyer stated that Mrs. Marshall ~~also~~ claimed a right of estovers, but I have jurisdiction only in respect of the right of common of pasture which has been provisionally registered.

There was no evidence that Mrs. Marshall or any of her predecessors in title had ever exercised any right of common of pasture.

There being no evidence upon which it could be supported, I can only refuse to confirm the registration.

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 20th day of March 1974

Chief Commons Commissioner