



COMMONS REGISTRATION ACT 1965

Reference Nos 209/D/294  
209/D/295  
209/D/296

In the Matter of Yennadon Down,  
Lynch Common and Wigford Down, and  
Dewerstone all in Meavy, West Devon  
District, Devon

### DECISION

#### Introduction

This Matter relates to 126 (exclusive of replacements) registrations made under the 1965 Act. My decision as regards each of these registrations is set out in the Fifth (and last) Schedule hereto. The disputes which have occasioned this decision, the circumstances in which they have arisen, and my reasons for my decision are as follows.

These disputes relate to the registration at Entry No. 1 in the Land Section, at Entry Nos 1 to 50 inclusive and 52 to 126 in the Rights Section (summarised in the First Schedule hereto) and at Entry Nos 1 and 3 in the Ownership Section of Register Unit No. CL 191 in the Register of Common Land maintained by the Devon County Council and are occasioned by the Objections the Nos. and makers of which and the days on which they were noted in the Register are specified in the Second Schedule hereto and by the said Ownership Section registrations being in conflict.

I held a hearing for the purpose of inquiring into the disputes at Plymouth on 24 May 1982 and 19, 20 and 21 April 1983. At the May 1982 hearing (1) English Clays Lovering Pochin and Company Limited who made Objection No. 262, were represented by Mr I D Lamond solicitor of Stephens & Scown, Solicitors of St Austell; (2) the Hon Henry Massey Lopes, the Hon George Edward Lopes, Mr George Christopher Cadafael Tapps Gervis Meyrick and Mr Joseph Robinson Cooke-Hurle as the successors of the Roborough Estate Trustees who made Objections No. 353, No. 354, and No. 355 and who applied for the registrations at Entry No. 39, No. 40, No. 41, No. 58 (with James Thomas Moyle) No. 59 (with Wilfred Thomas Damerell), No. 60 (with Arthur William Kingwell), No. 61 (with William Ford Northmore), No. 62 (with Ronald William Damerell), No. 63 (with John Ernest Edwards), No. 64. (with John Arthur Damerell), No. 65 (with Thomas Elliott), No. 66 (with Kenneth Kingwell), No. 67 (with Charles Percival Stone), No. 68, No. 90 (with Maristow Estate), No. 94 (with Derek Redmore), No. 101 (with William Henry Legassick), No. 102 (with Gilbert James Wakeham), No. 110 (with George Walter Eggins), No. 111 (with John Nicholas Colton), No. 112 (with Lionel Arthur Palmer and Ralph Palmer), No. 113 (with Norman James Eggins), No. 114 (with Henry Gordon Palmer), No. 115 (with Wilfred Kenneth Dawe), No. 116 (with William John Hillson); and as the successors of Maristow Estate Trustees who made Objections No. 1011, No. 1012, No. 1013, No. 1014, No. 1016, No. 1017, No. 1018, No. 1020 and No. 1031 were represented by Mr C M Farrer solicitor of Farrer & Co Solicitors of London; (3) Meavy/Yennadon Commoners Association who made Objections No. 563, No. 1075, No. 1076, No. 1077, No. 1078, No. 1079 and No. 1080 were represented by Mr A J C Beaumont FRICS Chartered Valuation Surveyor and Land Agent of St Germans, Cornwall; (4) Shaugh Commoners



Association who made Objections No. 561, No. 562, No. 1066, No. 1067, No. 1068, No. 1069 and No. 1070 were also represented by Mr A J C Beaumont; (5) National Trust for Places of Historic Interest and Natural Beauty who made Objection No. 1065 were represented by Mr C S Lowry of counsel instructed by Michelmores Solicitors of Exeter; (6) Vice Admiral Sir Guy Bouchier Sayer and Lady Sylvia Rosalind Pleadwell Sayer on whose application the registration at Entry No. 3 was made, Admiral Sir James F Eberle as successor in title of Mr David Miller Scott on whose application the registration at Entry No. 4 was made, and Mrs Eleanor Nancy Smallwood on whose application the registration at Entry No. 97 was made were represented by Mr N A Theyer solicitor with Bond Pearce & Co Solicitors of Plymouth; (7) the following persons were represented by Mr P W Harker solicitor of Bellingham & Crocker Solicitors of Plympton;

a) Mr Henry Harvie Cole on whose application the registrations at Entry No. 3 was made and as successor in title part of the Lovaton Fields of Mr John Ford Northmore (now deceased) on whose application the registration at Entry No. 5 was made; (b) Dr Reginald Hopkin Huzzey as successor in title of another part of the said Lovaton Fields; (c) Mr Robert Edward Skelley on whose application jointly with Mr Robert Lewis Skelley (since deceased) the registrations at Entry No. 47 and No. 48 was made, and jointly with him and Mrs Winifred Buller Skelley the registration at Entry No. 123 was made and alone the registration at Entry No. 145 was made; (d) Mr Norman Kenneth Skelley on whose application the registration at Entry No. 145 was made; (d) Mr Norman Kenneth Skelley on whose application the registration at Entry No. 50 was made and as successor of the remaining part of the said Lovaton Fields; (e) Mr Samuel Ilbert Wakeham son and successor in title of Mr Ilbert John Wakeham on whose application the registrations at Entry No. 53 and No. 54 were made; (f) Mr David John Skelley on whose application the registration at Entry No. 57 was made; (g) Mr Harold Charles Skelley on whose application the registrations at Entry No. 121 and No. 122 were made;

h) Mr Roger Hill on whose application the registration at Entry No. 124 and i) Mrs Muriel Alberta Plowman on whose application the registration at Entry No. 125 was made; (8) Mr Ernest Frederick Palmer on whose application the registration at Entry No. 92, 98 and 126 were made and as successor in title of Mr Russell Lamlyn Manning on whose application the registration at Entry No. 43 was made, attended in person; (9) Mr William Nelson Palmer on whose application the registration at Entry No. 93 was made was represented by the said Mr Ernest Fredrick Palmer; and (10) Mr Peter George Dean and Mrs Patricia Doris Dean on whose application the registrations at Entry No. 103 and No. 104 were made were represented by Mr Arthur Goldberg, Solicitor of Plymouth.

By one or more of the persons present at the May 1982 hearing I was asked to record their agreement as set out in the Third Schedule hereto about the registrations and Objections therein mentioned. Owing to other business I was unable then to do any more.

At the April 1983 hearing: (1) English Clays Lovering Pochin & Co Ltd ("ECLP") were represented by Mr I D Lamond as before; (2) Messrs H M Lopes, G E Lopes, C C T G Meyrick and J R Cooke-Hurle ("the Roborough Trustees") were represented by the said Mr E F Palmer; (3) and (4) Meavy/Yennadon Commoners Association and Haugh Commoners Association were represented by Mr A J C Beaumont as before; (5) National Trust for Places of Historic Interest and Natural Beauty ("National Trust") were represented by Mr C S Lowry of counsel as before; (6) Lady S. R P Sayer attended in person on her own behalf and as representing Vice-Admiral Sir Guy B Sayer,



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Admiral Sir James F Eberle and Mrs E N Smallwood; (7) Mr P W Harker represented (a) Mr H H Cole, (b) Dr R H Huzzey (c), Mr R E Skelley, (d) Mr N K Skelley, (e) Mr S I Wakeham, (f) Mr D J Skelley, (g) Mr H C Skelley, (h) Mr R Hill and (i) Mrs M A Plowman as before; (8) and (9) Mr E F Palmer attended in person on his own behalf and as representing Mr W N Palmer as before; and (10) Mr P G and Mrs P D Dean were represented by Mr R Toms solicitor of Arthur Goldberg, Solicitors of Plymouth. Additionally (11) Watts Blake Bearne & Co Ltd (W B B") who made Objection No. 52 were represented by Mr G Dawes mining engineer in their employ; (12) Mr Arnold Henry Cole as successor in title of Mr John Ford Northmore on whose application the registration at Entry No. 6 was made, was also represented by Mr P W Harker; (13) Mr Richard George Williams and Mr James William Williams on whose application the registration at Entry No. 7 was made was represented by Mr C D Peek, the chairman of Shaugh Commoners Association (he represented them at the May 1982 hearing although I did not record it); (14) Mr William John Vanstone on whose application with Mrs Emily Mary Vanstone (she died 18 June 1969) the registration at Entry No. 44 was made, was also represented by Mr P W Harker; (15) Mr R Lilley of Hazlecroft, Lake Lane Dousland and Mr L D Callicott of 38 Redmore Close Tavistock as purchasers from Mrs Ellen Vass on whose application the registration at Entry No. 52 was made was also represented by Mr A J C Beaumont; (16) Mr Edwin William Failte Webb of Burrator House, Sheepstor as in respect of the registration at Entry No. 54 successor in title of the Roborough Estate Trustees on whose application it was made and possibly concerned with Entry No. 102, attended in person; and (17) Mr Ivor Phillips on whose application the registrations at Entry Nos. 117 and 118 were made attended in person.

The land ("the Unit Land") in this Register Unit comprises three detached tracts: (1) Yennadon Down containing about 295 acres, (2) Lynch Common containing about 155 acres and (3) Wigford Down and Dewerstone containing about 560 acres, all in the parish of Meavy. The Ownership Section shows as follows:-

(1) Yennadon Down (north of Meavy): (a) of the west part ("the Yennadon Roborough Part", being about  $\frac{3}{4}$  of the whole) Roborough Estate Trustees are registered (except as below mentioned) as owners, such part being part of that lettered "A" on the Register map; of the east part ("the Yennadon WA Part"\*) the Lord Mayor Aldermen and Citizens of the City of Plymouth ("the Plymouth Corporation") are registered as owners, being the part lettered "E" on the map; (c) of two narrow strips ("the Yennadon Leat parts") being parts of the Devonport Leat and of the Plymouth Leat, the Plymouth Corporation are also registered as owners, being the parts lettered "F" and "H" on the Register map.

(2) Lynch Common (southeast of Meavy and northeast of Lovaton): of the whole the Roborough Estate Trustees are registered as owners (being another part of that lettered "A" on the Register map).

TURN OVER

\*Note:- In other proceedings relating to Register Unit No. CL 188, I had evidence that South West Water Authority (not represented in these CL 191 proceedings) had succeeded the Plymouth Corporation as owner of this east part.



3) Wigford Down and Dewerstone (south of Lovaton and extending southwards to the rivers Meavy and Plym where they join near Shaugh Bridge): (a) of the east part ("the Wigford ECLP part") bounded on the east by about  $\frac{1}{2}$  a mile of the road from Cadover Bridge northwards and extending from it for about 500 yards, ECLP are registered as owners, being the part lettered "G" on the Register map (excepting the Wigford Counting House part below mentioned); (b) of the central part ("the Wigford Roborough Part") being about 1 mile long and nearly  $\frac{1}{2}$  a mile wide the Roborough Estate Trustees are registered as owners, being the remaining part of the Unit Land lettered "A" on the Register map; (c) of the southwest part ("the Wigford Dewerstone NT Part") being land sloping upwards from the said 2 rivers for  $\frac{1}{2}$  and  $\frac{1}{4}$  of a mile, the National Trust are registered as owners, being the part lettered "B" on the Register map; (d) of the north part ("the Wigford Greenwell Part") being an area roughly triangular with sides of about  $\frac{1}{2}$ ,  $\frac{1}{3}$  and  $\frac{2}{3}$  of a mile, Mr Henry Harvie Cole is registered as owner, being the part lettered "C" on the Register map. No person is registered as owner of: (e) an area ("the Wigford Counting House Part") roughly square with sides of about 100 yards, next to the said road from Cadover Bridge; (f) a strip ("the Wigford Hoo Meavy Part") being about 300 yards long, situated northwest of the Wigford Roborough Part and west of the Wigford Greenwell Part and being by the road from Wigford Down to Hoo Meavy; and (h) an irregularly shaped piece ("the Wigford Higher Belliver Part"), being an irregularly shaped area about 350 yards long between the Wigford Roborough Part and Higher Belliver Farm buildings.

Before the May 1982 part of the hearing the documents specified in Part I of the Fourth Schedule hereto were sent to the office of the Commons Commissioners. At the May 1982 part of the hearing Mr Lowry handed in the documents listed in Part II of the said Schedule. Between the May 1982 and the April 1983 parts of the hearing, the documents specified in Part III of the said Schedule were sent to the office of the Commons Commissioners.

The course of the 1983  
part of the proceedings

During the introductory discussion (19 April), about the registrations thought to be wholly or partially agreed, Mr Beaumont for the Commons Associations produced the documents specified in Part IV of the Fourth Schedule hereto. The agreements so reached based on the said documents and what was then said by him, and by Mr Lowry for National Trust and by Mr Harker for some of the persons he represented are specified in the First Schedule hereto with the prefix "ID:- ..."; the relevant Entry Nos. being 7, 15, 43, 55, 93, 45, 46, 37, 1, 2, 8, 9, 10, 5, 6, 33, 44, 47, 48, 50, 53, 54, 57, 121, 122, 123, 124, 125 and 42.

Next (19 April) Mr Arnold Henry Cole gave oral evidence in support of the Cole (Land Section) Objection No. 25, in the course of which he produced the documents specified in Part V of the Fourth Schedule hereto. He said (in effect):- The Objection Land is part of that edged green on the 1942 conveyance (AHC/201) plan (being the same as the Wigford Greenwell Part hereinbefore defined); the Objection Land is part of that in the conveyance described as "Down", and is included in that thereby conveyed as containing 186a. 22p. "and known as Greenwell Farm".



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The Objection land reverted (after the 1942 conveyance) back to moorland because the fences were all removed some time ago, but the boundary is clearly marked with "BA" stones (BA meaning Buckland Abbey estate).

Next (19 April) Mr Toms for Mr and Mrs Dean about Entry Nos. 103 and 104 said they were agreed as specified in the First Schedule hereto, and Mr Harker for Mr W J Vanstone about Entry No. 44 said he was agreed as also so specified.

Next (19 April) Mr Lowry for National Trust reviewed all the Rights Section registrations and contended that I should refuse to confirm those which were "to stray" only. In the course of such review, Mr E F Palmer said that No. 38 is withdrawn and contended that the confirmation of Nos. 58 to 68 inclusive and 93 should be refused, Mr Lamond on behalf of ECLP produced a letter (ECLP/1) dated 24 May 1982 signed by Mrs I I Legassick relating to Entry No. 46, and Mr Lowry and Mr Harker said they were agreed about this Entry as stated in the First Schedule hereto. Mr Lowry and Mr Lamond also agreed about the registration at Entry No. 28 as stated in such Schedule.

Next (20 April) oral evidence in support of WBB (Land Section) Objection No. 52 was given by Mr Graham Dawes who has been in the employment of for the last 25 years, in the course of which he produced the documents specified in Part VI of the Fourth Schedule hereto. He said (in effect):- The Objection land ("Wigford Counting House Part") is and has been for many years occupied as a dwellinghouse and garden by Mr Leonard Vincent as tenant of WBB. The County Solicitor had written (WBB/3): "this land seems to have been registered by mistake ..."

Next (20 April) Mr E W F Webb in support of the registration at Entry No. 54 gave oral evidence in the course of which he produced the document specified in Part VII of the Fourth Schedule hereto. He said (in effect):- He bought Burrator House in 1976, the previous occupier being Lord Carnock; to it he moved from Coombe Farm in Bickleigh to which registered common rights were attached. He was told verbally by Saville acting for the vendors (the Maristow Estate) that there were grazing rights on the Downs which were at present being enjoyed by the tenant of the land. When he bought the property (total acreage 29.7), part about 15 acres was tenanted by Mr Ilbert Wakeham; a lot of the untenanted property was woodland; he understood that Mr Wakeham had enjoyed the rights of which he had been the tenant for many years, as stated in paragraph (d) of the Fourth Schedule to the 1976 conveyance EFWF/2. Since his purchase, he, his wife and 4 daughters (aged 16, 19, 20 and 21) had ridden over Yennardon Down and were never told it is private property.

Mr Beaumont cross-examining Mr Webb suggested that there was a conflict between registrations at Entry Nos. 54 and No. 102, that the Maristow Estate claimed that no land outside Meavy had any rights on Yennadon (Burrator is in Sheepstor); they had withdrawn their application relating to the same land (Maristow/1) and that the rights on Yennadon Down were in accordance with the list which had been prepared in connection with the Plymouth Corporation Bill (meaning that prepared in 1922 and added to in 1928) much relied on by the Commoners Association. To this Mr Webb said that Mr Wakeham while he was his tenant had been exercising



all the grazing rights he had registered, that he is now deceased and that Maristow Estate could not in 1982 withdraw the rights which they had in 1977 sold to him.

Next (20 April) Mr Ernest Frederick Palmer against the registration at Entry Nos. 54 and 102 gave oral evidence in the course of which he produced the document specified in Part VII of the Fourth Schedule hereto. He said (in effect):- He had been involved with Yennadon Down since 1928 and actively since 1954 when he was asked to reform Yennadon Commoners Association "after the war". He knew Mr I J Wakeham, now deceased. He could not remember any animals of his (being on Yennadon down); he may have had stray sheep >————> (only a few odd ones); none of his sheep were hefted on Yennadon. The Commoners Associations were not aware of his ever putting animals on Yennadon. He (Mr Wakeham) was involved with the Association although he was not on our "proper list" so his position is confused; he insisted on attending their meetings. When the Plymouth Corporation proposed to raise the level of the Burrator Lake and take more land they presented a bill to the House of Commons on 9 September 1922 and the list of commoners was then set out as at that date; it did not include Burrator or any land in Sheepstor. Mr Wakeham was trying to establish his rights but Mr Wakeham was not farming this land (meaning that mentioned by Mr Webb), certainly not through the war or for some years afterwards; Lord Carnock was farming it himself. As for the 1922 list at the bottom appears "S Moses Esq: Nattor Farm, Sheepstor, Welverton", so Mr Wakeham had something to do with it but not because of his land at Burrator. This list has been stuck to very seriously (by the Commoners Association) because "we" would be in trouble if "we" did not.

Mr Webb by way of cross-examination of Mr Palmer said:- He claimed prescribed rights for his house and land. He also claimed that he is a Venville tenant as Sheepstor is listed in this category; from many ancient documents examined by Mr Percival Birkett who stated the rights of the commoners on the Forest of Dartmoor, see the first paragraph of page 3 of the 1890 Book (meaning a Short History of the Rights of Common upon the Forest of Dartmoor and the Commons of Devon, published in 1890 by the Dartmoor Preservation Association): A Venville tenant had rights over all the Commons of Devon as was established for Shaugh Prior (referring to the decision dated 30 May 1977 and made by the Chief Commons Commissioner about Register Unit No. CL 190). To these observations of Mr Webb, Mr Palmer concluded his evidence by saying that Yennadon Down is manorial land and has never been regarded as one of the Commons of Devon.

Next (20 April), Lady Sayer said that the rights registered at Entry Nos. 3, 4 and 97 were not by her claimed as extending to Yennadon Down; and Mr Lowry said that the National Trust were not pursuing Objection No. 1065 as regards Entry Nos. 70 and 97.

On this basis Lady Sayer gave oral evidence in the course of which she produced the documents specified in Part VII of the Fourth Schedule hereto. Her statement (Lady S/301) was to this effect:- Her claim did not extend to the Wigford Greenwell Part or to the Wigford Counting House Part. Wigford Down is certainly part of the Commons of Devon, just as it is undeniably common land. The 1842 Tithe map proves that part of Wigford Down belonged to the Manor of Shaugh Prior under the same ownership as Shaugh Moor (Sir Ralph Lopes), and subject to the same



commoners' rights (including Venville Tenants). The commoners' animals moved from and to Shaugh Moor to and from Wigford Down without let or hindrance via the ford across the River Plym near Cadover Bridge and across the bridge itself, as they still do. The 1842 Award shows that no tithe was payable on Wigford Down including the Wigford Dewerstone NT Part, distinguishing Greenwell Down on which tithe was payable. Lynch Common is open to Wigford Down via a very short length of ungated road between them. ECLP in their Unit Land Objections are inconsistent with the 1977 Shaugh Prior CL 190 decision of the Chief Commons Commissioner.

Lady Sayer was questioned by Mr Lamond, but to suit her convenience I adjourned her further cross examination to later.

Next (20 April) Mr Ivor Phillips in support of his registrations at Entry Nos. 117 and 118 gave oral evidence in the course of which he said (in effect):- Every "Man of Devon" except those from Barnstaple and Totnes had rights over the Commons of Devon; so he, being a very local person coming from a family who had lived here for generations, considered, having been so told by his father and grandfather; although from time to time various people had tried to extract payments, none had ever been made for these rights. Since he applied for the registrations, he had learned more about rights of a "Man of Devon" and now understood their origin to have been purchase by the Men of Devon as long ago as King John. He relied on the books and papers which or extracts from which he produced at the recent hearing before me about another Register Unit (Penn Moor and Stall Moor, No. CL 112, about which I concluded a hearing on 20 January 1983 and gave a decision dated 2 March 1984 in Third Schedule to which I specified what Mr Phillips then produced). Also he considered that a man of Devon providing he owns property in a Venville parish has a Venville right as had on numerous occasions been explained by Lady Sayer (referring I think to what had been said by her or on her behalf at a hearing held by me relating to Register Unit No. CL 188 about which I have since given a decision dated 30 June 1983, and to what she said at my said CL 112 hearing). He owns about 60 acres in the Venville parish of Whitchurch (photostats of receipts for payment of Venville dues and a copy of some of his deeds were produced at the said CL 112 hearing). He was born in 1928 and was brought up and had continued until he was 28 years of age to live, in Lee Moor. At various times he kept stock including ponies on Dartmoor; they had roamed over CL 190 (Shaugh Moor) including Lee Moor and the Unit Land, coming from the other side Cadover Bridge. As a child he had spent some warm summer evenings at Cadover Bridge bathing with other boys; stock feeding there freely moved over the bridge and across the River by the ford; only under the Bridge itself was it deep enough to swim; in fact they used to drive them out of the River so they could swim in it. Further he submitted that all the commons of Dartmoor are but one common and people turned out their stock on the nearest most convenient part of the common, as was so stated in the said CL 190 decision of the Chief Commons Commissioner. He was surprised by the Objection of ECLP because he had reached agreement with them at the CL 112 hearing; he did not know the reasons for Maristow Objections or the Meavy/Yennadon CA Objections or the Shaugh CA Objection; as to the National Trust Objection, at the CL 112 hearing he had relinquished certain rights which he now realised he should not have conceded.



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Next, Mr Phillips in reply to questions by Mr Lowry, Mr Lamond, Mr Beaumont and Mr Palmer said (in effect):- To be a Venville tenant one has to occupy property in a Venville Parish. He defined the rights of a Man of Devon widely "because it is something we have done for many generations ... we have always done it, nobody has stopped us, and we paid nobody". At Grenofen he had about 58 acres; 8 Beechfield Avenue is about  $\frac{1}{4}$  of an acre; the Corner is a shop and store; 1 and 1A Weston Road is a shop premises with living accommodation (he thought you could keep sheep in the back yard, 90 feet by 30 feet). There was no mention in any of his deeds of common rights. He thought 68 (the number mentioned in the registrations) reasonable; he had a suckler herd of 15 to 20 small Ayrshire cows, and there were their calves; he bought in Angus cross calves. He last grazed the Moor between 5 and 10 years ago, then a herd of 45 to 70 cattle; they were unloaded (from motor vehicles) at Tolch Bridge (near Tolch Gate) now or formerly on the Cornwood-Cadover road and not then as now covered with gravel etc (nearby china clay workings). He ceased to live at Lee Moor in 1959. He had never had sheep. To him, Wigford Down (the Unit Land), Penn Moor (CL 112) and Trowlesworthy Warren (CL 190) are all one common; but they spent most of their time on Penn Moor or Trowlesworthy Warren; they leared themselves in the area of Tolch Brook. Apart from the animals he had himself put on the Moor, he had no evidence in support of his claim, considering he had rights in Venville and as a Man of Devon. As to ponies on this part of the Moor, the Unit Land drifts ended at a cow shed and yard formerly belonging to his uncle Mr Lillycrap, in front of Borrington Cottage in Lee Moor village. He did not know and had not seen Mr Tom Sellack who was a moorman.

Next (21 April) Lady Sayer in answer to questions by Mr Lamond and Mr Beaumont, said (in effect):- The circumstance that the map in the said 1890 Book delineated "Commons of Devon" so as to exclude Wigford Down and Lynch Common did not matter; such map (as Mr D M Scott had said) was illustrative, not a definition. The County Council map produced included them; Mr Scott satisfied the Royal Commission; this map was prepared following a number of meetings between Mr Somers-Cocks, Mr D Maplin and Colonel (?) Robert, who were all highly qualified; the map (or one like it) was used at the House of Lords Committee or produced at the CL 148 hearing. The Shillibere map (1805-1850) is inaccurate. She was sure that Mr Somers-Cocks' affidavit (24 May 1982, see my said CL 188 decision) was correct; it was his view that Lynch Common and Wigford Down were of the Commons of Devon.

Next, Mr E F Palmer gave further oral evidence in the course of which he said (in effect):- He had attended a meeting for the purpose of preparing the memorandum of evidence given by the Dartmoor Commoners Association to the Royal Commission at which were present Mr Scott, Mr H H Whitley (chairman) and Mr Tom Brown, and their view was that only part of Meavy was in Venville and they had a map showing this part as land in Brisworthy (nothing to do with Lynch or Yennadon); about this he produced the memorandum EFP/1 specified in Part VII of the Fourth Schedule hereto.

Mr Palmer when questioned by Lady Sayer agreed that he had only studied part of the said 1890 Book, but he insisted that Hart Gate could only be in one place, leading off Brisworthy Green.

Next Lady Sayer answered questions by Mr Phillips about what Mr Phillips had said at the Hentor Warren (CL 190) 1977 hearing before the Chief Commons Commissioner.





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Next (21 April) Mr Lamond gave oral evidence in the course of which he produced the document specifying in Part IX of the Fourth Schedule hereto. In answer to questions by Mr Phillips, he said that ECLP contended that Wigford was not of the Commons of Devon although they had accepted that Penn Moor was of them.

Next Mr Charles Donald Peek who was born in 1930 and who is chairman of Shaugh Commons Association gave oral evidence in the course of which he said (in effect):- He had attended pony drifts since he was 9 years old. Before 1952 there were two drifts, one for each side of the River Plym, but now there is only one held in the last week of September for both sides of the River. The riders start drifting Stall Moor, then Penn Moor, then to Eylesbarrow (opposite Fox Tor), and then back to Meavy over Ringmoor; the drift results in between 200 and 300 ponies. He had never seen among them any ponies of Mr Ivor Phillips, and he knew (so he thought) marks of ponies west of a line roughly Ivybridge, South Hessary Tor, Great Mis Tor, Tavistock. The drift went to Hunsford (?) Farm until 1970; not to Uncle Ned's Yard near Boyndon Cottage owned by Mr Lillycrap although it may be that some animals going in that direction would be taken away together and sorted in Uncle Ned's Yard. Mr Phillips should have mentioned Sanderson Cottage not Boyndon Cottage; he did not remember Mr Lillycrap ever having had a yard at all.

Questioned by Mr Phillips, Mr Peek said (in effect):- He remembered that Mr Tom Sellack, who was the Moorman and who "knew everyone", rode in the drifts; there were generally not less than 50 riders, with less you could not drive the animals back; he agreed that Boyndon Cottage and Borrington Cottage were different and that Ned may have lived at Borrington; but he insisted that the drifts did not end at either, because to drift ponies the end must be a "funnel" (meaning land so shaped).

Next Mr E F Palmer gave further oral evidence saying (in effect):- No drift had ever ended at Borrington Cottage; a funnel was an essential ending of a drift. He had known Mr Tom Sellack for many years before the 1940's (he lost track of him during the war); he was the Moorman of the area (all CL 190 and CL 191 except Yennadon); he had other jobs in which the ponies were drifted to Meriston (?) Farm. Mr Tom Sellack organised the drift and from those with ponies received payments.

Mr Palmer in answer to questions by Mr Phillips, Mr Beaumont and Mr Lamond added I think, nothing significant to his evidence above outlined.

Next (21 April), I reviewed finally all the registrations which then appeared not yet to have been finally disposed of, being Nos. 21, 22, 23, 24, 26, 25, 27, 28, 29, 30, 31, 32, 33, 35, 39, 40, 41, 44, 46, 49, 52, 53, 54, 57 to 86, 87, 88, 92, 94, 95, 96, 97, 98, 100, 101, 102, 105, 106, 107, 108, 109, 110, 113, 115, 133, 134 (replacing No. 119) and 145 and 146 (replacing No. 42); in the First Schedule hereto after "F:-...", I record what was said.

Next (21 April) Mr Lamond made submissions against the Venville claims of Lady Sayer and this and other claims by Mr I Phillips.

Next Mr Lowry as to Mr Phillips claim in gross referred to Shuttleworth v Le Flemming (1865) 19 CB NS 687 as establishing that rights in gross although prescribable at common law could not be prescribed for under the 1832 Act.



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next, Mr Beaumont pointed out that there was no evidence that Wigford was a  
 enville parish.

next Mr Phillips contended that whether Wigford Down was within such a parish,  
 is irrelevant and referred to the said CL 190 decision.

on the day after the hearing, I, accompanied by Mr Phillips, inspected on foot  
 ne part of the Unit Land near Cadover Bridge, and later alone motored along the  
 oads crossing over or near the remainder of the Unit Land, walking over some of it.

also after the hearing I had the documents specified in Part X of the Fourth  
 chedule hereto.

#### Wigford Greenwell Part

accept the evidence of Mr A H Cole and conclude that the Wigford Greenwell Part  
 as not common land at the date of registration. Lady Sayer said (Lady S/301):  
 We understand from Mr Cole that he does not intend to fence south of Greenwell  
 ert, which is the deep depression running across Greenwell Down from east to west  
 caused by ancient tin mining activities"; I am not concerned with the legal effect  
 f any such declared intention; my said conclusion is therefore not conditional  
 n the Wigford Greenwell Part becoming subject to any such restriction. My  
 ecision is therefore that the Cole Objection No. 25 wholly succeeds.

#### Wigford Counting House Part

accept that the evidence of Mr Dawes above referred to, and consider I can  
 nobody at the hearing objecting) treat the signed statement of Mr Pike (WBB/1)  
 s written evidence by him. My decision is that WBB Objection No. 52 wholly  
 ucceds.

#### Captain Frederick's Objection No. 636

gainst this Objection I have the withdrawal in the letter of 26 April 1982  
 pecified in Part I of the Fourth Schedule hereto. Quite apart from this with-  
 rawal, I have much evidence that both Wigford Down (except the Wigford Greenwell  
 art and the Wigford Counting House Part) and Lynch Common are subject to rights  
 f common, and therefore within the definition of "common land" in section 22 of  
 he Commons Registration Act 1965. So my decision is that this Objection fails  
 t least as regards the Lands Section registration at Entry No. 1 (except as  
 foresaid). By subsection (7) of section 5 of the 1965 Act, the Objection is to  
 e treated as an objection to any registration in the Rights Section; the extent  
 y which this treated objection succeeds is dealt with elsewhere in this decision  
 n connection with other Objections.

#### Ownership

t Ownership Section Entry No. 1 Roborough Estate Trustees are registered as  
 wners of the land hatched in red and lettered A on the register map, and at  
 ntry No. 3 Henry Harvie Cole is registered as owner of the land hatched in red  
 nd lettered C on the register map; I have references from the County Council as  
 egistration authority to resolve the conflict. On my copy of the register map,



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there is no conflict between the lettered A and the lettered C lands. I have no note or recollection that this ownership conflict being mentioned at the hearing; nevertheless I think I should make a decision of some kind on these references.

I notice that the lettered C corresponds very closely although perhaps not exactly with the land edged pink on the plan attached to Cole Objection No. 25 which I have in this decision called the Wigford Greenwell Part. My ownership decision will therefore be on the assumption that this Objection plans correspond with the ownership as it appears on the documents produced by Mr A H Cole and that the Roborough Estate Trustees at the date of registration did not own any part of the Wigford Greenwell Part. On this basis my decision is that there should be excluded from the registration at Entry No. 1 that part of the Wigford Greenwell Part if any which is hatched in red lettered A on the register map (as mentioned in column 4 of the Register) and that there should be excluded from the land at Entry No. 3 described as hatched in red and lettered C on the register map any land which is not part of the Wigford Greenwell Part. Because by subsection (3) of section 6 of the 1965 Act the County Council will pursuant to my decision about the Land Section have to cancel any registration in the Ownership Section relating to the Wigford Greenwell Part, I hope the ultimate result will be that Entry No. 1 will remain as now worded and that Entry No. 3 will disappear altogether. However this may be formally my decision as regards the Ownership Section is as stated in paragraph 2 of the Fifth and last Schedule hereto.

In case such paragraph is not agreeable to the Roborough Estate Trustees and to Mr Henry Harvie Cole and their successors in title, I give any liberty to apply to alter the part of this decision headed Ownership and the said paragraph of the Fifth Schedule hereto, such liberty to be exercised within the time limit and otherwise as in such Schedule provided.

#### Venville

The registrations at Entry Nos. 3, 4 and 97 were supported by Lady Sayer on the shortly stated ground that Wigford Down and Lynch Common are part of the Commons of Devon and subject to Venville rights.

Before I completed this Unit Land April 1983 hearing, I had held and completed hearings in which essentially the same contentions had been made by or on behalf of those represented by Lady Sayer, in relation to the following register units: CL 194 and CL 64 (land at Peter Tavy and Lydford completed October 1982), CL 188 (land at Sheepstor completed November 1982), CL 192 (land at Walkhampton completed December 1982), CL 112 (land at Cornwood completed January 1983), and CL 97 (land at Sourton completed March 1983), and about which I have since given decisions respectively dated 7 October, 13 October, 30 June 1983 and 13 February and 2 March 1984. At the CL 188 hearing the Venville claims were put to me by Mr Theyer, an experienced solicitor, his contentions being based on the many historic (meaning made before living memory) documents then produced or referred to, in which the word "Venville" appears. Treating such documents and contentions of Mr Theyer as before me at this Unit Land hearing I reject the Venville claims for reasons set out in my said CL 188 decision, the relevant parts of which together with the relevant parts of my CL 164 decision therein referred to should be treated as repeated herein. However I should record as regards some of those present at this Unit Land hearing to treat the said documents and contentions as then produced and made may not be just because they were not present at the



CL 188 hearing and most of the documents on which Mr Theyer relied were merely referred to by Lady Sayer when questioned, and were not mentioned in her statement (Lady S/301); but even limiting the matters in question to the documents and contentions actually referred to or made at this Unit Land hearing, the reasons set out in my said CL 188 and CL 164 decisions show I think clearly enough why I am against the contentions made at this Unit Land hearing by Lady Sayer. Stating the position shortly: it may be that there are lands in Widecombe-in-the-Moor and Holne to which rights of grazing over some nearby common land over the Forest are attached and it may be that in some historic documents or by some now living persons such rights are described as "Venville"; but the circumstance that there are lands in Meavy to which rights of grazing over the Unit Land and over the Forest are attached and that in some historic documents or by some living persons such rights are described as "Venville", does not establish for the benefit of those of Widecombe-in-the-Moor and Holne that to their lands are attached rights to graze over the Unit Land.

The contentions for and against Venville as regards the Unit Land differ from those made as regards other Register Units in that it was said that neither Yennadon Down nor Lynch Common nor Wigford Down could be of "the Commons of Devon" if these words were properly defined. As to this, for the reasons set out on page 46 of my said CL 188 decision, I am of the opinion that I cannot find as a fact whether any particular piece of land is or is not of the Commons of Devon without an authoritative definition of what is meant by these words. However in case I am mistaken in this opinion, I next state my conclusions about some of the Commons of Devon matters raised at the Unit Land hearing.

The circumstance that there is a County Council map delineating the Commons of Devon in such a way as to include Wigford Down and Lynch Common (it did not include Yennadon Down) and that such map was produced by witnesses under oath at a House of Lords Committee, is not I think relevant because I do not know and have no means of inferring on what basis such delineation was made. As to Wigford Down (part of the Unit Land) being one piece of land or one common with Shaugh Moor (part of CL 190), having inspected the boundary my conclusion is that the River Plym running between them is cogent evidence that they are two distinct pieces of land within the meaning of such words as ordinarily understood and that the circumstance that for most of the year animals can wander through the River water from one side to the other, and can (traffic permitting) easily cross the bridge is of little weight in favour of there being only one common compared with the contrary evidence provided by the divisive effect of the River, by itself a massive boundary. If the Commons of Devon are supposedly defined as meaning a common adjoining the Forest (Register Unit CL 164) and in some way practically grazable with it, I would exclude Wigford Down. Lynch Common is bounded on the east by what was, but is as a result of my CL 188 decision not now, part of CL 188 and is too far away from what is now left of CL 188 to be regarded as of the Commons of Devon merely because it is somewhere near common land in Sheepstor which adjoins the Forest; as to Lynch Common being considered as one piece of land with Wigford Down, having walked down the road which connects them, my conclusion is that they are not one but are two pieces; so under the supposed definition, I would exclude Lynch Common. Lady Sayer did not contend (although Mr Webb did) that Yennadon Down is one of the Commons of Devon; it is even more distinct than Lynch Common, and in my opinion also outside any such supposed definition.

For the above reasons my decision is that the registrations at Entry Nos. 3, 4 and 97 were not properly made.



## Man of Devon

Under this heading I consider the registrations at Entry Nos. 117 and 118 made on the application of Mr Phillips.

At this April 1983 hearing his contentions and evidence were essentially the same as those made and given by him at my January 1983 hearing about Stall Moor and Penn Moor (Register Unit No. CL 112); I rejected them in my CL 112 decision dated 2 March 1984. The relevant part of that decision should be treated as repeated herein. For the reasons therein stated I reject the contentions and evidence of Mr Phillips about the Unit Land so far as they are of a general character and not relating particularly to the Unit Land.

As regards such particular contentions and evidence, I must for the reasons set out in my said CL 112 decision consider whether the rights claimed by Mr Phillips can be supported as ordinary rights of common appurtenant established by exercise of such rights as of right for the period requisite by prescription at common law, or under the Prescription Act 1832, or by a presumed grant under the law established in *Tehidy v Norman* 1971 2QB 528. As to this possibility, Mr Phillips gave no evidence that he from any of the lands mentioned in column 5 of the registration at Entry No. 117 ever grazed or exercised any other right of common as of right over Wigford Down or any other part of the Unit Land; and I find that there has never been any such grazing or exercise.

During my inspection, Mr Phillips contended that under the Chief Common Commissioner's decision relating to Hentor Warren (CL 190) dated 30 May 1977, he certainly had a grazing right over Shaugh Moor being the part of the CL 190 land which at or near Cadover Bridge adjoins Wigford Down, and pointed out to me how easily animals could from Shaugh Moor get onto Wigford Down by fording the River or by crossing the Bridge. It is not clear from the said 1977 decision whether Mr Phillips' rights on the CL 190 land extend to the Shaugh Moor part of it (at page 5 of the decision only Willings Wall Warren and Hentor Warren are mentioned as the concern of Mr Phillips). But even assuming that there are grazing rights over Shaugh Moor now conclusively established as appurtenant to any of Mr Phillips' said lands, I decline to infer that such rights necessarily extend over the whole or any part of Wigford Down. The appearance of the boundary between Shaugh Moor and Wigford Down - the River Plym, a massive geographical feature - is against any such extension. Mr Phillips did not suggest that any animals of his ever in fact for the purpose of grazing Shaugh Common and Wigford Down had ever crossed from one to the other. My conclusion is that they are not one common.

Generally for the reasons set out under this heading and in my said CL 112 decision, as regards these registrations at Entry Nos. 117 and 118 is that they were not properly made.

## Burrator registration

About Mr Webb's claim to support the registration at Entry No. 54 by prescription, the evidence was conflicting. For it I have his statement that he understood that Mr Wakeham had exercised the rights for many years. Against I have Mr Palmer's evidence as above summarised. The apparent situation of the fields in respect of which the right is claimed in relation to Yennadon Down is against



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here having ever been grazing as of right from one over the other. Notwithstanding Mr Wakeham's interest in the Yennadon Commoners Association as mentioned by Mr Palmer, balancing the conflicting evidence as best I can, my conclusion is that there was never any grazing as of right by Mr Wakeham on Yennadon Down, and accordingly the registration cannot be supported either by prescription at common law, or under the Prescription Act 1832 or by a presumed grant in accordance with *Behidy v Norman supra*.

As to Mr Webb's alternative claim as a Venville tenant, I am against it for the reasons hereinbefore stated under the heading Venville about the similar claims made by Lady Sayer. Additionally, Mr Webb is not wholly the same as hers, because he said nothing against her concession that Yennadon Down was not one of the Commons of Devon as she understood.

So on the information before me at the hearing my decision is that the registration was not properly made.

As to his letter of 21 April 1983 and the letter of 23 May 1983 of Farrer & Co in reply to it mentioned in Part X of the First Schedule hereto, for the reasons set out in my said CL 188 decision under the heading Burrator registration, I am not persuaded that I either can or should alter the decision which I have as above stated reached on the evidence and contentions put before me at the hearing.

#### Others

About all the other Rights Section registrations, save as hereinbefore or in the First Schedule hereto mentioned, there was no evidence or argument in support.

As to these in the absence of evidence or argument, I conclude generally that none was in any respect properly made if the grounds of any objection in all respects but the registration in question, or at least was not properly made in the respects in which it has been put in question by any Objection; for as a general rule the burden of proving any disputed registration falls on the applicant. Exceptionally where all the objectors conceded or agreed that the registration was wholly or in some respects properly made, in the absence of special circumstances, I conclude that the registrations were proper either wholly or in the respects conceded or agreed.

Additionally in the course of the hearing as hereinbefore or in the First Schedule hereto appears, I had evidence by Mr C D Peek and Mr E F Palmer which I accept as from persons with local knowledge, particularly with knowledge about Wigford Down and Yennadon Down respectively. But about some of these other registrations, I mention the following considerations which to them are or may be special.

Notwithstanding the circumstance that a registration or some aspect of it is not mentioned in the grounds of any objection under its number specified in the First Schedule hereto, it is in question by reason of subsection (7) of section 7 of the 1965 Act, and therefore requires a decision on my part; I consider I ought not by my decision to confirm it if it is apparent on the evidence before me that in some respects it cannot be correct. For the reasons set out in my said CL 164 decision under the heading "Straying", my registration of "to stray" or of



"straying rights" is such as could not (in the absence of special circumstances of which I have no evidence) be correct. Upon similar considerations I treat an Objection of which the grounds mentioned straying puts in question all aspects of the registration. Also upon similar considerations I treat any objection the grounds of which at least put the registration in question as regards the Yennadon Roborough Part as also putting in question the registration as regards the Yennadon WA Part, because it was obvious on my inspection that a registration not properly made on the one Part could not have been properly made as regards the other. But because there may be some who did not attend the hearing relying on the exact wording of the grounds of an Objection, I give to persons who neither attended nor were represented at the hearing liberty to apply to an alteration in so much of this decision as depends on the consideration set out in this paragraph, such liberty to be exercised within the time limited and otherwise as set out in the Fifth Schedule hereto.

As regards the registration at Entry No. 28 (L Creber), I have a note that Mr Palmer said it was a duplicate of that at Entry No. 1 (J C Frederick). Having since looked at the applications for these registrations, it seems to me that this note may be a mistake at least if the duplication referred to was of the lands to which the rights are attached. So disregarding such note, I have confirmed the registrations as stated in Part I of the First Schedule hereto. But because the duplication referred to may have been about the agreed numbers or I may be mistaken for some other reason, I give to those concerned either for or against the registrations at Entry Nos. 1 and 28 liberty to apply to alter my decision about them, such liberty to be exercised as aforesaid.

As regards the registrations mentioned in Part III of the First Schedule hereto, the withdrawal by the National Trust of Objection No. 1065 as stated in such Part, is not I think reason enough for my treating the registrations as properly made over either the Wigford Dewerstone NT Part, or over any other part of the Unit Land. Objections Nos. 1070 and 1075 put the registrations in question; the distance from the Unit Land of the lands to which the alleged rights are attached is some evidence against their propriety, and in the absence of any evidence or arguments in support of them, I conclude that they were not in any respects properly made.

As to the registration at Entry No. 121 (H C Skelley), the 1983 letter mentioned in the First Schedule qualifies the "55 acres" as being "the present holding and not the original holding, part of which ... has been sold off". The amendment of a registration consequential on the apportionment of a common right is dealt with by regulation 29 of the Commons Registration (General) Regulations 1966; at this hearing I was concerned only with the propriety of the registration as originally made. I infer that the original holding was at least 55 acres, and on the information now before me I can only give a decision on the basis that it was no more. But in case there has been some mistake I give to those now interested in the present holding and now interested in the part sold off likely to apply, such liberty to be exercised within the time limit and otherwise as specified in the Fifth Schedule hereto.



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Final

The effect of the decisions hereinbefore made is set out in the Fifth (the last) Schedule hereto, which Schedule should be treated as repeated herein.

Because much of this decision is complicated and is dependent on agreements or statements about which there may herein be some mistake or error which ought to be corrected without putting those concerned to the expense of an appeal, I give liberty to apply to any person who may be affected by any such mistake or error. Such application should be made within the time limited and otherwise in accordance with the Fifth Schedule hereto.

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.

TURN OVER





FIRST SCHEDULE  
(Rights Section registrations)

Note:- By subsection (7) of section 5 of the 1965 Act, Land Section Cole Objection No. 25, WBB Objection No. 52 and Frederick Objection No. 636 are to be treated as objections to the Rights Section registrations, and are therefore not in this Schedule again mentioned.

Part I: considered particularly at the hearing  
and not being of to stray or attached  
to land outside Meavy

No. 1

John Cromwell Frederick; owner; Belliver Farm, Meavy; graze 144 sheep 72 cattle and 48 pigs, turbary; over the whole of the land comprised in this register unit.

Representation: none.

Objections:- Roborough No. 354, number excessive, NFU common of pasture 30 units and no right for pigs; no right at all over Yennadon Roborough Part. Roborough Objection No. 355, no turbary. Shaugh CA No. 562, numbers should not exceed 1 beast or 5 sheep per acre of enclosed land. Meavy/Yennadon CA No. 563, no right accepted.

See Fourth Schedule Part I. ID:- AJCB/4 shows withdrawal of turbary and agreement to NFU scale for 25 acres (meaning as Mr Beaumont said) 25 units NFU scale.

CONFIRM with MODIFICATION in column 4 for "144 sheep 72 cattle and 48 pigs" substitute "25 units NFU scale", delete "turbary", and for "the whole of the land comprised in this register unit" substitute "the parts of the land in this register unit known as Lynch Common and Wigford Down".

No. 2

Harry Cann; land OS Nos 34, 25, and 24 in Walkhampton; owner; graze 8 cattle, cut bracken and rushes; over the whole of the land comprised in this register unit.

Representation:- none.

Objections:- Roborough No. 353, rights do not exist at all. Meavy/Yennadon CA:- No. 563 no right accepted.

ID:- Mr Palmer said he understood from Mrs James that Mr H Cann (her father) had sold the land; he suggested that in the absence of evidence confirmation be refused.

CONFIRMATION REFUSED

No. 3

Sir Guy Bouchier Sayer and Lady Sylvia Rosalind Pleadwell Sayer; Old Middle Cator in Widecombe-in-the-Moor; owners; cut peat and turves, take stone sand and gravel and heath and fern, graze 2 cattle or ponies 10 sheep; over the whole of the land comprised in this register unit.

Representation:- In 1982 by Mr N A Theyer; in 1983 Lady Sayer attended in person for herself and Sir G B Sayer.

Objections:- ECLP No. 262, rights do not exist at all. Roborough No. 353 rights do not exist at all. Shaugh CA No. 561, no right accepted. Meavy/Yennadon CA No. 563, no right accepted.

Evidence and argument in support and against, see under heading "Venville".

CONFIRMATION REFUSED

No. 4

David Miller Scott; the Village Farm, Holne; owner; turbary, estovers, dig stone and sand, graze 52 bullocks or ponies 208 sheep; over the whole of the land comprised in this register unit.

Representation:- Admiral Sir James F Eberle as successor of Mr D M Scott, in 1982 by Mr N A Theyer and in 1983 by Lady Sayer.

Objections:- ECLP No. 262, rights do not exist at all. Roborough No. 353 rights do not exist at all. Shaugh CA No. 561, no right accepted. Meavy/Yennadon CA No. 563, no right accepted.

Evidence and arguments in support and against, see under heading "Venville".

CONFIRMATION REFUSED

No. 5

John Ford Northmore; land OS Nos. 748, 749, 732, 742, 741, 743 at Lovaton, Meavy; owner; tillage, graze 10 cattle 30 sheep; "over that part of the land comprised in this register unit known as Lynch Common...".

Representation:- Mr Henry Harvie Cole and Dr Reginald Hopkin Huzzey and Mr Norman Kenneth Skelley as successors in title to Mr J F Northmore (deceased) were represented by Mr P W Harker.

Objections:- Maristow No. 1013, numbers excessive, should be reduced to NFU scale. Maristow No. 1016, tillage does not exist at all. Shaugh CA No. 1066, numbers should not exceed 1 beast or 5 sheep per acre of enclosed land. Shaugh CA No. 1067, no tillage.



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ID:- Mr Harker as representing all present owners agreed "tillage" should come out and grazing reduced to 16 units NFU scale.

CONFIRM with MODIFICATION in column 4 delete "Tillage" and for "10 cattle 30 sheep" substitute "16 units NFU scale".

No. 6

John Ford Northmore; land OS Nos. 699, 697, 681, 677, in Meavy; owner, turbary, take stones, cut bracken and rushes, graze 6 cattle 40 sheep; "over the part of the land comprised in this register unit known as Lynch Common and Wigford Down..."

Representation:- Mr Arnold Henry Cole as successor in title of Mr J F Northmore was represented by Mr P W Harker.

Objections:- Maristow No. 1012, turbary does not exist at all. Maristow No. 1013, numbers are excessive and should be reduced to NFU scale. National Trust No. 1065, do not exist on part edged black (Wigford Dewerstone Part).

ID:- Mr Harker on behalf of Mr A H Cole agreed to deletions below mentioned and to grazing being 13 units NFU scale.

CONFIRM with MODIFICATION in column 4 delete "Turbary To take stones", and for "6 cattle 40 sheep" substitute "13 units NFU scale".

No. 7

Richard George Williams and James William Williams; Urgles Farm, Meavy; owner/tenant; turbary, cuts bracken, graze 35 cattle 250 sheep; "over that part of this register unit known as Wigford Down..."

Representation:- Messrs Williams were represented by Mr C D Peek.

Objections:- Maristow No. 1012 no turbary. Maristow No. 1013, numbers excessive should be reduced to NFU scale. Shaugh CA No. 1066, numbers should not exceed 1 beast or 5 sheep per acre of enclosed land. Shaugh CA No. 1068, no turbary.

24 May 1982, see Third Schedule. ID:- AJCB/1 referred to; Mr Peek and Mr Beaumont agreed modifications below set out.

CONFIRM with MODIFICATION in column 4 delete "turbary", and for "35 cattle 250 sheep" substitute "40 units NFU scale".

No. 8

Henry Piper; Yennacott, Meavy; owner, turbary, cut bracken and rushes, graze 3 ponies; "over that part of the land comprised in this register unit known as Yennadon Down. Note:- after amendment 8/1/73 deleting "and Lynch Common".

Representation:- none.

Objections:- Maristow No. 101 no turbary. Shaugh CA No. 1070 no right accepted. Meavy/Yennadon No. 1077, no right of turbary.

ID:- AJCB/5, withdraws turbary.

CONFIRM (as amended 8/1/73) with MODIFICATION in column 4 delete "turbary".

No. 9

To stray, see Part II of this Schedule.

No. 10

Frederick Arthur Faulks; The Spinney OS.9849, Meavy; owner; of turbary, graze 6 ponies or 6 cows or 12 sheep; over that part of the land known as Yennadon Down in this register unit".

Representation:- none.

Objections:- Maristow No. 3012, no turbary. Shaugh CA No. 1070 no rights accepted. Meavy/Yennadon CA, no turbary.

ID:- AJCB/7 produced by Mr Beaumont; he said land since sold to Dr Young, and suggested delete turbary.

CONFIRM with MODIFICATION in column 4 delete "Turbary".

Nos. 11 to 20 inclusive

To stray, see Part II of this Schedule.

No. 21

Bertie Hartland Worden; land at Hoo Meavy; owner; turbary, take stone, cut bracken and rushes, graze 4 ponies 50 sheep; "over that part of the land comprised in this register unit known as Wigford Down".

Representation:- none.

Objections:- Maristow No. 1012, no turbary. National Trust No. 1065, not exist on part of land edged black. (Wigford Dewerstone NT Part). Shaugh CA No. 1068, no turbary.



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F:- AJCB/12 produced by Mr Beaumont; after discussion it was agreed by those present no turbary and substitute 15 units NFU scale. Later after further discussion it was similarly agreed that the Wigford NT Part should be excluded.

CONFIRM with MODIFICATION in column 4 delete "Turbary", for "4 ponies 50 sheep" substitute "15 units NFU scale", and after "Wigford Down" insert "except the part hatched red and lettered B on the register map".

No. 22

Arthur Bernard Jenkins; land at Goodameavy, Meavy; tenant; turbary; take stone, cut bracken and rushes, graze 60 cattle 145 sheep; over that part of the land comprised in this register unit known as Wigford Down... together with straying rights on to the remainder of this register unit.

Representation:- none.

Objections:- ECLP No. 262, does not exist at all. Maristow No. 1012, no turbary. Maristow No. 1014, does not exist on Yennadon Roborough Part. Shaugh CA No. 1068, no turbary. Meavy/Yennadon CA, No. 1075, no right accepted.

F:- Mr Beaumont produced AJCB/13 and contended that rights if not proved should be avoided. Mr Lamond said ECLP would not object to grazing on Wigford ECLP Part but do object to turbary, take stone and cut bracken and rushes. Mr Palmer pointed out that National Trust had not objected and that bracken and rushes exist on the Wigford ECLP Part. After discussion the registration as below set out was agreed.

CONFIRM with MODIFICATION in column 4, delete "turbary", after "To take stone to cut bracken and rushes" and before "To graze..." insert "over the part of the land comprised in this register unit known as Wigford Down except the part hatched red and lettered G on the Register map", and delete "together with straying rights on to the remainder of this register unit".

No. 23

Michael Bernard Fell; Wellake, Goodameavy, Meavy; owner; cut bracken, graze 5 ponies; "over the part of the unit land comprised in this register unit known as Wigford Down..."

Representation:- none.

Objections:- none.

F:- Mr Peek who knew the farm said the Shaugh CA were satisfied it should have grazing rights appropriate to 5 acres. After discussion as to excluding bracken on the Wigford ECLP Part the registration below set out was agreed as appropriate.

CONFIRM with MODIFICATION in column 4 for "5 ponies" substitute "5 units NFU scale", and after "... Wigford Down" insert "except as regards cutting bracken the part hatched red and lettered G on the register map".



No. 24

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William Thomas Mark Northmore; part Lovaton OS Nos 734 etc, Meavy; tenant; turbary, take stones, cut bracken and rushes, graze 2 ponies 8 cattle 25 sheep; over the whole of the land comprised in this register unit.

Representation:- None

Objections:- ECLP No. 262 not exist at all. Maristow No. 1012, no turbary. Maristow No. 1014 does not exist on Yennadon Roborough Part. National Trust No. 1065, not exist on land shown edged black (Wigford Dewerstone NT Part). Shaugh CA No. 1068, no turbary. Meavy/Yennadon CA, no right accepted.

F:- Mr Lamond produced ECLP/7. After discussion, the registration below set out was agreed by those present.

CONFIRM with MODIFICATION in column 4 delete "turbary, to take stones, to cut bracken and rushes", and for "the whole of the land comprised in this register unit" substitute "over the part of the land in this register unit known as Lynch Common.

No. 25

Evelyn Christine Worden; land at Hoo Meavy, Meavy; owner; turbary; take stone, cut bracken and rushes; graze 4 ponies and 50 sheep; over the whole of the land comprised in the register unit.

Representations:- none

Objections:- as at No. 24 above

F:- Mr Beaumont produced AJCB/14 (bis). Mr Palmer said that from this land there had been no grazing on Yennadon Down. After discussion, it was agreed by those present no turbary, from stone bracken and rushes except the Wigford ECLP Part and except Yennadon Down. Later Mr Palmer said he had spoken to Mrs Worden who agreed the deletion of Yennadon; after further discussion it was agreed by those present that the Wigford NT Part should be also excluded.



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CONFIRM with MODIFICATION in column 4, delete "turbary", and for "over the whole of the land in this register unit" substitute "over the part of the land in this register unit known as Lynch Common and Wigford Down except that hatched red and lettered B on the register map and except also as regards taking stone and cutting bracken and rushes the part hatched red and lettered G on the register map.

No. 26

William John Mark Northmore; land at Lovaton, OS Nos. 733 etc; owner; turbary, take stone, cut bracken and rushes, graze 2 ponies, 15 cattle, 100 sheep; "over that part of the land comprised in this register unit known as Wigford Down as Lynch Common...".

Representation:- none.

Objections:- ECLP No. 262, does not exist at all. Maristow No. 1012, no turbary. National Trust No. 1065, not exist on edged black (Wigford Dewerstone NT Part) Shaugh CA No. 1068, no turbary.

F:- Mr Lamond produced ECLP/7. After discussion agreed registration below set out.

CONFIRM with MODIFICATION in column 4 delete "turbary, to take stone, to cut bracken and rushes", and delete "Wigford Down and".

No. 27

Louis Creber; land at Clearbrook OS Nos. 6551, 6743, 7246 and 6525 in Meavy and Buckland Monachorum; tenant; turbary, take stone, cut bracken and rushes, to graze 6 cattle; "over that part of the register unit known as Wigford Down together with straying rights onto CL 93 and the rest of this register unit.

Representation:- none.

Objections:- ECLP Objection No. 262, right does not exist at all. Maristow No. 1012, no turbary. Maristow No. 1014 does not exist on Yennadon Roborough Part. National Trust No. 1065, not exist on part edged black (Wigford Dewerstone NT Part). Shaugh CA No. 1068, no turbary. Meavy/Yennadon CA No. 1075, no rights accepted.

F:- Mr Beaumont said the Association had been unable to get information. Mr Palmer said he thought the holding had been split up.

CONFIRMATION REFUSED

No. 28

Louis Creber; Belliver, Clearbrook OS Nos. 1150 etc, Meavy; owner, turbary, take stone, cut bracken and rushes, graze 25 cattle; "over that part of this register unit known as Wigford Down together with straying rights on to CL 93 and the rest of this register unit".

Representation:- none.

Objections:- As at No. 27.

See Part I of Fourth Schedule. 19 April 1983, Mr Beaumont produced AJCB/9 and Mr Lowry and Mr Lamond suggested NFU scale be adopted.

CONFIRM with MODIFICATION in column 4, delete "Turbary", after "To take stone To cut bracken and rushes" insert "on the part of this register unit known as Wigford Down except that hatched in red and lettered B and G on the register map", and for "25 cattle" substitute "25 units NFU scale".

No. 29

Roger Christopher Young; Yennadon House, Meavy; owner; turbary, graze 3 ponies or cattle or 6 sheep or goats; over the whole of the land comprised in that part of this register unit known as Yennadon Down.

Representation:- none.

Objections:- Maristow No. 1012, no turbary. Meavy/Yennadon CA No. 1077, no turbary.

CONFIRM with MODIFICATION in column 4 delete "turbary" and delete "or goats".

Note:- Liberty to apply to re-open the hearing to vary this decision by restoring "or goats".

No. 30

Frederick Henry Northmore; land at Lovaton OS Nos. 736, 737, 747 and 746, Meavy; owner; turbary, cut bracken and rushes, graze 45 sheep; "over the whole of the land comprised in that part of this register unit known as Wigford Down together with straying rights onto Lynch Down, part CL 191".

Objections:- Maristow No. 1012, no turbary. National Trust No. 1065 not exist over edged black (Wigford Dewerstone NT Part). Shaugh CA No. 1068, no turbary.

F:- Mr Beaumont produced AJCB/15. Mr Palmer said that from the land there could sensibly be grazing on Lynch Common because they adjoin but not sensibly on Wigford Down which nowhere adjoins and that Mr F H Northmore is now deceased and the land sold.





CONFIRM with MODIFICATION in column 4 delete "turbary" and for "Wigford Down together with straying rights on to Lynch Down, part CL 191" substitute "Lynch Common". Note:- Liberty to successors in title of Mr F H Northmore to apply to re-open the hearing and set aside the part of this decision relating to the above mentioned substitution.

No. 31

Horace Edward Cramp and Grace Elizabeth Cramp; Inglenook, Lovaton, Meavy; owners; estovers; "over the whole of the land comprised in that part of this register unit known as Lynch Common".

Representation:- none.

Objections:- Maristow No. 1011, not exist at all. Shaugh CA No. 1070, no rights excepted.

F:- Mr Palmer said the land is a bungalow with a little plot of land. Mr Peek said Shaugh CA would withdraw their objection on the assumption that the right would only be exercised by "picking up a few bits". Mr Palmer said on behalf of Maristow Estate Trustees he did not withdraw as estovers impossible.

CONFIRMATION REFUSED

No. 32

William Jury; Lovaton Farm, Meavy; owner; cut bracken, graze 30, 10 ponies; "over that part of the land comprised in this register unit known as Lynch Common".

Representation:- none.

Objections:- Maristow No. 1013, excessive, should be NFU scale. Shaugh CA No. 1066, excessive not exceed 1 beast or 5 sheep per acre.

F:- Mr Beaumont produced AJCB/15 bis; after discussion those present agreed to reduce to 1 unit and leave rest.

CONFIRM with MODIFICATION in column 4 "30 sheep, 10 ponies" substitute "one unit NFU Scale".

No. 33

Henry Harvie Cole; land at Greenwell and Lovaton, in Meavy; owner; turbary, take stones, cut bracken and rushes, graze 5 ponies, 100 cattle 355 sheep; over the whole of the land comprised in this register unit ...

Representation:- Mr Arnold Henry Cole as successor of Mr H H Cole was represented by Mr P W Harker.



Objections:- ECLP No. 262, rights do not exist at all. Maristow No. 1012, no turbarry. Maristow No. 1013, numbers excessive should be reduced to NFU scale. Maristow No. 1014, not on Yennadon Down. National Trust No. 1065, not exist on edged black (Wigford Dewerstone NT Part). Shaugh CA No. 1068, no turbarry. Meavy/Yennadon CA No. 1075, no right accepted.

VID:- Mr Harker suggested deletion of turbarry and take stone and change grazing to 175 units NFU scale; but contra Mr Beaumont and Mr Lamond did not agree to any right over Yennadon and the Wigford ECLP Part; but all present agreed Mr Harker suggestion so far as it related to Lynch and the rest of Wigford.

F:- Mr Palmer said that from this land there had been no grazing in Yennadon.

CONFIRM with MODIFICATION in column 4, delete "Turbarry, To take stones", for "5 ponies 100 cattle 355 sheep" substitute "175 units NFU scale", and after "... this register unit" insert "except the part known as Yennadon Down and except also as to cutting bracken and rushes that part hatched red and lettered G on the register map and"

No. 34

To stray, see Part II of this Schedule.

No. 35

Denis Walker; OS Nos. 0712, 1104, 1192 and 1597 in Meavy; owner; graze 24 ponies or 18 steers or 48 sheep; over that part of the land in this register unit known as Yennadon Down.

Representation:- none.

Objections:- Meavy/Yennadon CA No. 1078, numbers excessive should be 1 beast or 5 sheep per acre.

F:- Mr Beaumont produced AJCB/16 to 19, and said it had since the registration been sold to different owners, OS 1192 to Mr G Ledger, (1.30), OS 0712 to Mr T Hyde (2.34), and OS 1104 and 1597 to Dr Young (2.67), total acreage 6.31.

CONFIRM with MODIFICATION in column 4, for "24 ponies or 18 steers or 48 sheep" substitute "6 units NFU scale".

No. 36

To stray, see Part II of this Schedule.



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No. 37 (replaced by Nos. 136 and 137)

Ernest Frederick Palmer (replaced by William Robert James Watson and E F Palmer); part Callisham and part Mill in Meavy; owner; take stones, cut bracken and rushes, graze 10 cattle 40 sheep; over the whole of the land comprised in this register unit.

Representation:- Mr E F Palmer attended in person.

Objections:- National Trust No. 1065, not exist on edged black (Wigford Dewerstone NT Part).

ID:- Mr Palmer said (see NT/2) that some years ago he sold No. 137 land to N K Skelley, of (?) Saburnum, Dowsland. F:- Mr Palmer said as the person who had made the application he would be content if the Wigford Dewerstone NT Part was excluded and thought that the title deeds would show this.

CONFIRM with MODIFICATION in column 4 after "in this register unit" insert "except the part hatched red and lettered B on the register map".

No. 38

To stray, see Part II of this Schedule.

No. 39

Roborough Estate Trustees and Arthur William Kingwell, Cadworthy in Meavy, owner/tenant; graze 36 units NFU scale; over the whole of the land comprised in this register unit.

Representation:- R Trustees in 1982 by Mr C M Farrer and in 1983 by Mr E F Palmer.

Objections:- Maristow No. 1014, not on Yennadon Roborough Part. Meavy/Yennadon CA No. 1075, no rights accepted.

F:- Mr Beaumont produced AJCB/20.

CONFIRM with MODIFICATION in column 4 after "... this register unit" insert "except that part known as Yennadon Down".

No. 40

Roborough Estate Trustees; land near Gratton, in Meavy; owner; graze 10 units NFU scale; over the whole of the land comprised in this register unit.

Representations:- R Trustees in 1982 by Mr C M Farrer and in 1983 by Mr E F Palmer.



Objections:- none.

CONFIRM without any modification.

No. 41

Roborough Estate Trustees and Colin Mark Northmore; Gratton Farm in Meavy; owner/tenant; graze 125 units NFU Scale; over the whole of the land comprised in this register unit.

Representation:- R Trustees in 1982 by Mr C M Farrer and in 1983 by Mr E F Palmer.

Objections:- Maristow No. 1013, excessive should be NFU Scale. Meavy/Yennadon CA No. 1078, numbers excessive should be 1 beast or 5 sheep per acre.

F:- Mr. Beaumont produced AJCB/20.

CONFIRM with MODIFICATION in column 4 for "125 units" substitute "100 units".

No. 42 (replaced by Nos. 145 and 146)

Michel Ollis and Margaret De Ollis (replaced by Robert E Skelley and Anthony Reginald Bell and Ruth Helen Bell) part of Mayes Farm in Meavy; owner; graze 20 cattle 90 sheep; over that part of the land comprised in this register unit known as Wigford Down.

Representation:- Mr R E Skelley was represented by Mr P W Harker.

Objections:- none.

REPRESENTATION:- Mr Harker suggested and all present agreed that this should be altered to NFU Scale and Nos. 145 and 146 adjusted. Part X of Fourth Schedule hereto, no agreement reached.

CONFIRM without any modification

No. 43

To stray; see Part II of this Schedule.

No. 44

William John Vanstone and Emlen Mary Vanstone; land at Meavy Barton, in Meavy; owners; turbary, take stone, cut bracken and rushes, graze 20 ponies 90 cattle 315 sheep; over the land comprised in this register unit known as Lynch and Yennadon Down and ... together with straying rights onto Wigford Down part of this register unit and on ...

Representation:- Mr W J Vanstone (Mrs E M Vanstone died 18 June 1969) was represented by Mr P W Harker.

Objections:- ECLP No. 262, not exist at all. Maristow No. 1012, no turbary. Shaugh CA No. 1066, numbers excessive, not exceed 1 beast or 5 sheep per acre. Meavy/Yennadon CA No. 1077, no turbary. Meavy/Yennadon CA No. 1078, numbers excessive, no more than 1 beast or 5 sheep per acre.

ID:- Mr Harker suggested deletion of turbary, take stone and cut bracken and rushes and grazing 173 units NFU Scale; this was agreed. Later (19 April) Mr Harker agreed deletion of straying. F:- Mr Lamond produced ECLP/8 and contended that straying was not registrable.

CONFIRM with MODIFICATION in column 4 delete "Turbary To take stone To cut bracken and rushes", for "20 ponies 90 cattle 315 sheep" substitute "173 units NFU scale", and delete "on to Wigford Down part of this register unit and".



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o. 45

o stray, see Part II of this Schedule.

o. 46

vy Irene Legassick; land at Marchant Bridge, in Meavy; owner; turbarry, take stones, cut bracken and rushes, graze 8 cattle 30 sheep; over the whole of the land and comprised in this register unit.

Representation:- none.

Objections:- ECLP No. 262, do not exist at all. Maristow No. 1012, no turbarry. National Trust No. 1065, not over edged black (Wigford Dewerstone NT Part). Shaugh CA No. 1068, no turbarry. Meavy/Yennadon CA No. 1077, no turbarry.

On 4 May 1983 see Third Schedule. ID:- NT/4 shows Mrs Legassick agrees Objection No. 1065; consider later turbarry and taking stone: Mr Palmer said it is accepted that land has rights over Lynch and Yennadon. 19 April 1983, Mr Lamond produced ECLP/1; Mr Lowry, and Mr Beaumont agreed registration as set out below.

CONFIRM with MODIFICATION in column 4 delete "Turbarry, To take stones To cut bracken and rushes", and after "in this register unit" insert "accept the part hatched red and lettered B on the Register Map."

o. 47

Robert Edward Skelley and Robert Lewis Skelley; Olderwood Farm, in Meavy; owner and tenants; turbarry, cut bracken and rushes, graze 53 cattle 265 sheep (or equivalent combination based on 1 beast - 5 sheep); over that part of this register unit known as Wigford Down.

Representation:- Mr R E Skelley was represented by Mr P W Harker (Mr R L Skelley is deceased).

Objections:- Maristow No. 1012, no turbarry. Maristow No. 1013, excessive should be NFU Scale. National Trust No. 1065, not exist over edged black (Wigford Dewerstone NT Part). Shaugh CA No. 1066, numbers excessive, not exceed 1 beast = 5 sheep per acre. Shaugh CA No. 1068, no turbarry.

ID:- Mr Harker suggested delete turbarry and cut bracken and rushes and that grazing should be 48 units NFU Scale; all present agreed.

CONFIRM with MODIFICATION in column 4 delete "Turbarry To cut bracken and rushes", and for "53 cattle 265 sheep (or equivalent combination based on 1 beast = 5 sheep)" substitute "48 units NFU Scale".



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No. 48

Robert Edward Skelley and Robert Lewis Skelley; part Durance Farm OS4763, Meavy; owner and tenant/tenant; turbarry, cut bracken and rushes, graze 25 sheep; over that part of the land in this register unit known as Lynch Common.

Representation:- Mr R E Skelley was represented by Mr P W Harker.

Objections:- Maristow No. 1012, no turbarry. Shaugh CA No. 1066, numbers excessive, should not exceed 1 beast or 5 sheep per acre of enclosed land.

ID:- Mr Harker suggested deletion of turbarry and cutting of bracken and rushes and grazing for that number of unit NFU Scale appropriate for acreage of OS4763; all present agreed. Letter 22 August 1983, specified in Part X of Fourth Schedule hereto, agrees 3 acres.

CONFIRM with MODIFICATION in Column 4 delete "Turbarry. To cut bracken and rushes"; and for "25 sheep" substitute "3 units NFU Scale".

No. 49

Beartrice Emily Vanstone; Lower Cadworthy Farm, Meavy; tenant; turbarry, cut bracken and rushes, graze 5 cattle, 150 sheep or any combination on the basis 1 beast = 5 sheep; over that part of this register unit known as Wigford Down together with straying rights on to ... the remaining parts of CL 191 except those hatched red & lettered A on the register map and ... Note: modified 31/7/73 by insertion of words above "except ..."

Representation:- None.

Objections:- Maristow No. 1012, no turbarry. National Trust No. 1065 not on edged black (Wigford Dewerstone NT Part). Shaugh No. 1066, numbers excessive, not exceed 1 beast = 5 sheep per acre. Shaugh CA No. 1068, no turbarry. Meavy/Yennadon CA No. 1075, no right accepted.

F:- Mr Lowry produced NT/6

CONFIRM with MODIFICATION in Column 4 (as modified 31/7/73) delete "Turbarry To cut bracken and rushes" and for "150 sheep" substitute "and 125 sheep" and delete "the remaining parts of CL 191 except those hatched red & lettered A on the register map".

No. 50

Norman Kenneth Skelley; Callisham Farm, in Meavy; owner; turbarry, cut bracken and rushes, graze 100 cattle 500 sheep (or equivalent 5 sheep = 1 beast); over the whole of the land comprised in this register unit.

Representation:- Mr N K Skelley was represented by Mr P W Harker.



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Objections:- National Trust No. 1065, not on edged black (Wigford Dewerstone NT part). Maristow No. 1012 no turbary. Maristow No. 1013, numbers excessive, should be NFU Scale. Shaugh CA No. 1066, excessive numbers should not exceed 1 beast or 5 sheep per acre of enclosed land. Shaugh No. 1068, no turbary. Meavy/Yennadon CA No. 1077, no turbary. Meavy/Yennadon CA No. 1078, excessive numbers should not exceed 1 beast or 5 sheep per acre of enclosed land.

D:- Mr Harker suggested delete turbary, cutting bracken and rushes and 94 units on NFU Scale; all present agreed.

CONFIRM with MODIFICATION in Column 4 delete "Turbary, to cut bracken and rushes", and for 100 cattle 500 sheep (or equivalent; 5 sheep = 1 beast" substitute "94 units NFU Scale".

No. 51

Cancelled on application for registration at Entry No. 119, now replaced by Entry Nos. 133 and 134; applicable to land at Middle Lake, in Meavy; see No. 119 below.

No. 52

Ellen Vass; South Lake Farm, Dousland and Haywood, both in Meavy; owner; turbary, lake stones, cut bracken and rushes, graze 35 cows and their followers, 150 sheep; over that part of the land comprised in this register unit known as Yennadon Down and ... together with straying rights on to Wigford Down part of this register unit and on ..."

Representation:- Mr R Lilley and Mr L D Callicot as purchasers from Mrs E Vass were represented by Mr A J C Beaumont.

Objections:- ECLP No. 262, rights do not exist. Maristow No. 1012, no turbary. Maristow No. 1013, numbers excessive should be NFU Scale. Meavy/Yennadon No. 1077, no turbary.

F:- Mr Beaumont produced AJCB/21.

CONFIRM with MODIFICATION in Column 4 delete "Turbary", for "35 cows and their followers 150 sheep" substitute "25 units NFU Scale" and delete "Wigford Down part of this register unit and ".





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No. 53

Ilbert John Wakeham; Snows, in Meavy; owner; cut bracken and rushes, graze 25 sheep; over that part of the land comprised in this register unit known as Lynch Down and ... together with straying rights on to Wigford Down, part of this register unit and ...

Representation:- Mr Samuel Ilbert Wakeham son and successor in title of Mr I J Wakeham deceased was represented by Mr P W Harker.

Objections:- none.

ID:- Mr Harker to my suggestion that "straying" was not registerable, emphasised that there were no objections.

CONFIRM with the MODIFICATION in column 4, for "Lynch Down" substitute "Lynch Common" and delete "together with straying rights on to Wigford Down, part of this register unit".

No. 54

Ilbert James Wakeham; land at Burrator House in Sheepstor; tenant; cut bracken and rushes, graze 21 cattle 100 sheep; over that part of the land comprised in this register unit known as Yennadon Down ...

Representation:- Mr Edwin William Faulte Webb as owner since 1976 attended in person. Mr Samuel Ilbert Wakeham son of Mr I J Wakeham was represented by Mr P W Harker.

Objections:- Maristow No. 1011, not exist at all. Meavy/Yennadon CA No. 1075, no right accepted. Possible conflict with the registrations at Entry No. 102 see below.

ID:- Mr Harker said that on behalf of Mr S J Wakeham he made no withdrawal and made no representations. Oral evidence was given by Mr E F Webb in support and by Mr E F Palmer against, see under heading "Burrator registration".

CONFIRMATION REFUSED.

Nos. 55 and 56

To stray, see Part II of this Schedule

No. 57

David John Skelley; formerly part of Callisham Farm, Meavy; owner; turbary, cut bracken, graze 10 cattle, 3 ponies, 65 sheep (or equivalent: 5 sheep = 1 beast); over the whole of the land comprised in this register unit.

Representation:- Mr D J Skelley was represented by Mr P W Harker.

Objections:- Maristow No. 1012, no turbary. Maristow No. 1013, numbers excessive should be reduced to NFU scale. National Trust No. 1065, not exist on edged black (Wigford Dewerstone NT Part). Meavy/Yennadon CA No. 1078, numbers excessive should be 1 beast or 5 sheep per acre.

RD:- Mr Harker suggested 13 under NFU Scale and the withdrawal of the rest of the registration; all present agreed.

CONFIRM with MODIFICATION in column 4, delete "Turbary, To cut bracken and rushes", and for "graze 10 cattle, 3 ponies, 65 sheep (or equivalent: 5 sheep = 1 beast)" substitute "13 units NFU scale".

Nos. 58 to 68 inclusive

To stray, see Part II of this Schedule.

Nos. 69 to 86 inclusive

Rights attached to lands outside Meavy, Sheepstor and Walkhampton, see Part III of this Schedule.

No. 87

William Thomas Willcocks and Alice Mary Willcocks; Lower Goodameavy Farm, Meavy; owners, cut ferns, graze 70 sheep 30 cattle; over that part of the land comprised in this register unit known as Wigford Down.

Representation:- none.

Objections:- none



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CONFIRM without any modification

No. 88

Judith Gould Penrose; part Little Coombe and part OS No. 174, Meavy; owner; graze 1 pony; over that part of the land in this register unit known as Lynch Common.

Representation:- none

Objections:- none

CONFIRM without any modification

Nos. 89 and 90

To stray, see Part II of this Schedule

No. 91 (replaced by Nos 142 and 143)

Rights attached to land outside Meavy, Sheepstor and Walkhampton, see Part III of this Schedule.

No. 92

Ernest Frederick Palmer; Glebe land, Meavy; tenant; graze 2 cattle and 10 sheep; over the part of the land comprised in this register unit known as Lynch Common and Wigford Down.

Representation:- Mr E F Palmer attended in person.

Objections:- none

CONFIRM without any modification

No. 93

To stray, see Part II of this Schedule.

No. 94

Roborough Estate Trustees and Derek Radmore; Hernspitt Farm, Meavy; owner/tenant; graze 140 units NFU scale; over the whole of the land in this register unit.

Representations:- The Roborough Estate Trustees were represented in 1982 by Mr C M Farrer and in 1983 by Mr E F Palmer.

Objections:- Meavy/Yennadon CA No. 1078, number excessive should be 1 beast or 5 sheep per acre.

F:- Mr Beaumont produced AJCB/20.

CONFIRM with MODIFICATION in column 4, for "140 units" substitute "90 units".

No. 95

Charles Alfred McLaren and Eileen Gertrude McLaren; Ward House, Walkhampton; owner; estovers, turbarry, graze 4 bullocks or ponies, 8 sheep or 20 geese; over that part of the land comprised in this register unit known as Yennadon Down.

Representation:- none.

Objections:- ECLP No. 262, not exist at all. Maristow No. 1011, do not exist at all.

F:- Mr Palmer said land is outside parish of Meavy; not in Common Book he produced see Part VII of Fourth Schedule hereto.

CONFIRMATION REFUSED

No. 96

Frederick William Charles Stentiford; part South Lake Farm, Meavy; owner; graze 100 sheep 20 cattle 5 horses; over that part of the land comprised in this register unit known as Yennadon Down.

Representation:- none.



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Objections:- Maristow No. 1013, numbers excessive, should be NFU scale. Meavy/Yennadon CA No. 1078, number excessive should be 1 beast or 5 sheep per acre.

F:- Mr Palmer said that the land owned by Mr Stentford is a house of 0.14 of an acre and a small field approximately 1 acre.

CONFIRM with MODIFICATION in column 4 for "graze 100 sheep, 20 cattle 5 horses" substitute "graze 1 unit NFU scale".

No. 97

Eleanor Nancy Smallwood; Holne Court Farm, Holne; owner; turbary, estovers, take sand and stone, graze 106 bullocks or ponies 426 sheep; over the whole of the land comprised in this register unit.

Representation:- in 1982 by Mr N A Theyer and in 1983 by Lady S R P Sayer

Objections:- ECLP No 262, do not exist at all. Marristow No. 1011, do not exist at all. national Trust No. 1065, not exist over edged black (Wigford Dewerstone NT Part). Shaugh CA No. 1070, no rights accepted. Meavy/Yennadon CA No. 1075, no rights accepted.

Evidence and argument in support and against see under heading "Venville".

CONFIRMATION REFUSED

No. 98

Ernest Frederick Palmer: land at Callisham, Meavy; tenant; graze 8 sheep; over the whole of the land comprised in this register unit.

Representation:- Mr E F Palmer attended in person.

Objection:- none

CONFIRM with any modification



No. 99

to stray, in Part II of this Schedule

No. 100

Phyllis doreen Bradford; land adjoining Oakhurst, Meavy; owner; turbarry, take stone, cut bracken and rushes, graze 8 ponies or 40 sheep or 8 cattle; over that part of the land comprised in this register unit known as Yennadon Down together with straying rights on to ... and that part of this register unit known as Lynch Common.

Representation:- none.

Objections:- Meavy/Yennadon CA No. 1077, no turbarry

CONFIRM with MODIFICATION in column 4 delete "Turbarry" and delete "and that part of this register unit known as Lynch Common".

No. 101

Roborough Estate Trustees and William Henry Legassick; owners/tenant; graze 25 units NFU scale; over that part of the land comprised in this register unit hatched red and lettered D on the register map (the Yennadon Roborough Part) ... together with straying rights on to ... and the remaining parts of the register unit.

Representation:- Roborough Estate Trustees represented in 1982 by Mr C M Farrer and 1983 by Mr E M Palmer.

Objections:- Meavy/Yennadon CA No. 1075, no rights accepted.

F:- Mr Beaumont produced AJCB/20

CONFIRMATION REFUSED

No. 102

Roborough Estate Trustees and Ilbert John Wakeham; and Ilbert John Wakeham; Nattor Farm and Burrator Land; owner/tenant; graze 170 units (NFU scale); over that part of the land in this register unit hatched red and lettered D on the register map (the Yennadon Roborough part) ... with straying rights on to ... and the remaining parts of this register unit.

Representation:- Roborough Estate Trustees were in 1982 represented by Mr C M Farrer and in 1983 by Mr E F Palmer. Mr E W F Webb as possible successor in title of the Burrator House part attended in person, see No. 54 above.

Objections:- Meavy/Yennadon CA No. 1975, no right accepted. Possible conflict with No. 54 above.



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Oral evidence in support by Mr E W F Webb and oral evidence against by Mr Palmer.

F:- Mr Beaumont produced AJCB/20.

CONFIRMATION REFUSED.

No. 103

Peter George Dean and Patricia Doris Dean; Durance Farm, Lovaton, Meavy; owners; estovers, turbary, pannage, graze 200 cattle 400 sheetp 10 ponies (or equivalent: 5 sheep = 1 bullock); over the whole of the land comprised in this register unit.

Representation:- Mr and Mrs Dean were in 1982 represented by Mr A Goldberg and in 1983 by Mr R Toms.

Objections:- Maristow No. 1012, no turbary. Maristow No. 1013, numbers excessive, should be reduced to FNU scale. Maristow No. 1014, grazing rights not exist on Yennadon, Roborough Part. Maristow No. 1020, no pannage. No. 1031, estovers could be confined to cutting bracken and fern only. National Trust No. 1065 does not exist on edged farm (Wigford, Dewerstone Part. Shaugh CA No. 1066 numbers excessive should be 1 beast or 5 sheep per acre. Shaugh CA No. 1068, no turbary. Meavy/Yennadon CA No. 1075, no right accepted.

See Third Schedule.

19 April 1983, Mr Toms said Durance and Down Farm (see No. 104 below) were 106 acres and 89 acres and suggested registration should be as set out below; others present agreed.

CONFIRM with MODIFICATION in Column 4, for "Estovers" substitute "To cut bracken", delete "Turbary, Pannage", for "200 cattle, 400 sheep, 10 ponies (or equivalent: 5 sheep = 1 bullock)" substitute "106 units NFU Scale" and after "this register unit" insert "except Yennadon Down".

No. 104

Peter George Dean and Patricia Doris Dean; Down Farm, Lovaton, Meavy; owners, estovers, turbary, pannage, graze 200 cattle, 400 sheep, 10 ponies (or equivalent, 5 sheep = 1 bullock) over the whole of the land comprised in this register unit.

Representation:- Mr and Mrs Dean were represented in 1982 by Mr A Goldberg and in 1983 by Mr R Toms



Objections:- Maristow No. 1012, no turbary. Maristow No. 1013, numbers excessive should be reduced to NFU scale. Maristow No. 1020, no pannage. Maristow No. 1031, estovers is confined to cutting bracken and fern only. National Trust No. 1065, do not exist on edge black (Wigford Dewerstone NT Part. Shaugh CA No. 1068, no turbary. Meavy/Yennadon CA No. 1077, no turbary. Meavy/Yennadon CA No. 1078, numbers excessive, not exceed 1 beast or 5 sheep per acre. Meavy/Yennadon CA No. 1079, no pannage.

See Third Schedule. 19 April 1983, see No. 103 above.

CONFIRM with MODIFICATION in column 4, for "Estovers" substitute "To cut bracken", delete "Turbary Pannage", for "200 cattle 400 sheep 10 ponies (or equivalent 5 sheep = 1 bullock" substitute "89 units NFU Scale".

No. 105

Kate Sophia MacDonnell; Pixeycombe, Meavy; tenant; turbary, cut bracken and rushes, take stones, graze 7 cattle or 7 ponies or 35 sheep; over that part of the land comprised in this register unit known as Yennadon Down and Lynch Common.

Representation:- none.

Objections:- Maristow No. 1012, no turbary. Shaugh CA No. 1068, no turbary. Meavy/Yennadon CA No. 1077, no turbary.

F:- Mr Beaumont produced AJCB/23.

CONFIRM with MODIFICATION in column 4 delete "Turbary".



No. 106

Alfred James Jay Farley; Lovaton Cottage, Meavy; owner; estovers, turbary, graze 2 ponies; over that part of the land in this register unit known as Lynch Lynch Common.

Representation:- none

Objections:- Maristow No. 1012, no turbary. Maristow No. 1031, estovers should be confined to cutting bracken and fern only. Shaugh CA No. 1068, no turbary.

F:- Mr Beaumont produced AJCB/25 and 26.

CONFIRM with MODIFICATION in column 4 delete "Estovers Turbary"

No. 107

Julian Thomas Measures; Burgoynes, Lovaton, Meavy; owner; turbary, piscary in Lovaton Brook, graze 5 ponies, 8 cattle 35 sheep; over that part of the land comprised in this register unit known as Lynch Common.

Representation:- none

Objections:- Maristow No. 1012, no turbary. Maristow No. 1013, number excessive, should be NFU scale. Maristow No. 1018, piscary not exist at all. Shaugh CA No. 1068, no turbary.

F:- Mr Beaumont produced AJCB/26. Mr Palmer said there was no piscary (on the Unit Land).

CONFIRM with MODIFICATION in column 4 delete "Turbary Piscary in Lovaton Brook", and for "5 ponies 8 cattle 35 sheep" substitute "5 units NFU scale".

Nos. 108 and 109

Rights attached to lands outside Meavy, Sheepstor and Walkhampton, see Part III of this Schedule.

No. 110

Roborough Estate Trustees and George Walter Eggins; Knowle Farm and Dittisham, Walkhampton; owner/tenant; graze 130 units NFU scale over Yennadon Down, part of the land comprised in this register unit ... together with straying rights on to ... CL 194 and the remainder of this register unit and CL 192.

Representation:- Roborough Estate Trustees were represented in 1982 by Mr C M Farrer and in 1983 by Mr E F Palmer.

Objections:- none

Remarks:- Agreed.

CONFIRM with MODIFICATION a column 4 delete "and the remainder of this register unit".

Nos. 111 and 112 (now replaced by Nos. 139 and 140

to stray, see part II of this Schedule.

No. 113

Roborough Estate Trustees and Norman James Eggins; Lake Farm, Yelverton, Walkhampton; owner/tenant; graze 75 units NFU scale; over that part of the land comprised in this register unit known as Yennadon Down and ... together with straying rights on to the remaining parts of this register unit and ...

Representation:- Roborough Estate Trustees were represented in 1982 by Mr C M Farrer and in 1983 by Mr E F Palmer.

Objections:- National Trust No. 1065, do not exist on part edged black (Wigford Dewerstone NT Part).

Remarks:- Those present agreed as below.

CONFIRM with MODIFICATION in column 4 delete "the remaining parts of this register unit and".

No. 114

To stray, see Part II of this Schedule.

No. 115

Roborough Estate Trustees and Wilfred Kenneth Dawe; Welltown Farm, Walkhampton; owner/tenant; graze 60 units NFU scale; over that part of the land comprised in this register unit known as Yennadon Down ...

Representation:- Roborough Estate Trustees were represented in 1982 by Mr C M Farrer and in 1983 by Mr E F Palmer.

Objections:- none

CONFIRM without any modification.

No. 116

To stray, see Part II of this Schedule.

No. 117

Ivor Phillips; Ash Mill and part Ash Lands, Grenofen, Whitchurch; 8 Beechfield Avenue, Yelverton, Buckland Monachorum; The Corner, Yelverton, Buckland Monachorum; 1 and 1A Weston Park Road, Plymouth; owner; turbarry, estovers, piscary, take stone; graze 68 stock units NFU scale; over whole of the land comprised in this register unit.

Representation:- Mr Phillips attended in person.

Objections:- ECLP No. 262, rights do not exist at all. Maristow No. 1011, rights do not exist at all. Shaugh CA No. 1070, no right accepted. Meavy/Yennadon CA No. 1075, no right accepted.

Oral evidence in support by Mr Phillips and against by Mr Palmer

CONFIRMATION REFUSED

No. 118

Ivor Phillips; in gross; "Man of Devon"; turbarry, estovers, piscary, take stone, graze 68 stock units NFU scale; over the whole of the land comprised in this register unit.



Representation:- Mr I Phillips attended in person.

Objection:- see No. 117 above.

Oral evidence was given in support by Mr Phillips and against by Mr Palmer.

CONFIRMATION REFUSED

No. 119 (replaced by Nos 133 and 134)

Percy Robert Scutt (replaced by P R Scutt and Arthur Cole and Arther Cole); Middle Lake Farm, Meavy; turbary, take stones, cut bracken and rushes, graze 100 cattle or ponies or 180 sheep or a proportionate combination; over the part of the land in this register unit known as Yennadon Down.

Representation:- none

Objections:- ECLP No. 262, do not exist at all. Maristow No. 1012, no turbary. Shaugh CA No. 1070, no right accepted. Meavy/Yennadon CA No. 1075, no right accepted. Meavy/Yennadon CA No. 1077, no turbary.

Remarks:- Mr Beaumont said that notwithstanding the inclusion of this Entry No in Objection No. 1075 that the registration could be confirmed if turbary was deleted.

CONFIRM with MODIFICATION in column 4 delete "Turbary".

No. 120

To stray, see Part II of this Schedule

No. 121

Harold Charles Skelley: Manor Farm, Dousland, Meavy and Walkhampton; owner; graze 200 sheep, 15 ponies 500 cattle; over that part of the land comprised in this register unit known as Yennadon Down.

Representation:- Mr H C Skelley was represented by Mr P W Harker.

Objections:- Maristow No. 1011, do not exist at all,

Maristow No. 1012, no turbary. Meavy/Yennadon CA No. 1078, excessive, number should not exceed 1 beast or 5 sheep per acre of enclosed land.

Remarks:- Mr Harker suggested that the numbers be in accordance with the NFU scale, the acreage to be supplied either by Mr E F Palmer or himself; all present agreed. Part XI of the Fourth Schedule, letter of 22 August 1983, 55 acres agreed.



CONFIRM with MODIFICATION in column 4 for "200 sheep, 15 ponies 500 cattle" substitute "55 units NFU Scale".

No. 122

Harold Charles Skelley; Town Farm, Walkhampton; tenant; graze 50 sheep 200 cattle; over that part of the land comprised in this register unit known as Yennadon Down.

Representation:- Mr H C Skelley was represented by Mr P W Harker.

Objections:- Maristow No. 1013, numbers excessive should be reduced to NFU scale. Meavy/Yennadon CA No. 1078, excessive, number should not exceed 1 beast or 5 sheep per acre of enclosed land.

ID:- Mr Harker suggested number be reduced to NFU scale, the acreage is to be supplied either by Mr E F Palmer or himself; all present agreed. See Part X of the Fourth Schedule hereto, letter of 22 April 1983, agreeing 47 acres.

CONFIRM with MODIFICATION in column 4 for "50 sheep 200 cattle" substitute "47 units NFU scale".

No. 123

Robert Edwin Skelley, Robert Lewis Skelley and Winifred Buller Skelley; part Staddons Farm, Walkhampton; owners; turbary, cut bracken & rushes, graze 15 sheep or 75 cattle (or any combination 1 beast = 5 sheep); over that part of the land comprised in this register unit known as Yennadon Down.

Representation:- Mr R E Skelley as successor of his parents Messrs R L and W B Skelley now deceased, was represented by Mr P W Harker.

Objections:- Maristow No. 1011, not exist at all. Meavy/Yennadon CA No. 1077, no turbary.

ID:- Mr Harker suggested deletion of turbary, and translating grazing to 15 units NFU scale; those present agreed.

CONFIRM with MODIFICATION in column 4 delete "Turbary" and for "15 cattle or 75 sheep (or any combination 1 beast = 5 sheep)" substitute "15 units NFU scale".

No. 124

Roger Hill; Luxmoor Farm, Brisworthy Meavy; tenant; graze 49 cattle or ponies or 244 sheep or any proportionate combination; over that part of this register unit known as Wigford Down.

Representation:- Mr R Hill was represented by Mr P W Harker.

Objections:- Maristow No. 1011, not exist at all. Shaugh CA No. 1070, no right accepted.

Mr Harker said that the farm is 24 acres and grazing should be for 24 units NFU scale; all present agreed.

CONFIRM with MODIFICATION in column 4, for "49 cattle or ponies or 244 sheep or any proportionate combination" substitute "24 units NFU scale."

No. 125

Muriel Alberta Plowman; New Park, Meavy; owner; turbary, cut rushes bracken & gorse, take stone sand & gravel; over that part of the land comprised in this register unit known as Bridge Common (Register modified 31/7/73 by deleting "to graze 3 beasts or cows or 7 sheep" and "with straying rights ...")

Representation:- Mrs M A Plowman was represented by Mr P E Harker.

Objections:- ECLP No. 262, rights do not exist at all. Maristow No. 1012, no turbary. Shaugh CA No. 1068, no turbary.

ID:- Mr Harker said turbary is withdrawn; after discussion about the 1973 modification, it was agreed by way of compromise between Mr Harker, Mr Palmer, Mr Beaumont and Mr Lamond that the registration should be as below stated.

CONFIRM with MODIFICATION in column 4 for "Turbary To cut rushes bracken & gorse. To take stone sand & gravel" substitute "To graze 3 units NFU scale".

No. 126

To stray, see Part II of this Schedule.

Nos. 127 to 131

Cancelled, 12/7/73.

Nos. 132, 135, 138, 141, and 144

Not effective.



Nos. 133 and 134

See No. 119 above.

Nos. 136 and 137

See No. 37 above.

Nos. 139 and 140

To stray, see Part II of this Schedule.

Nos. 142 and 143

See Part III of this Schedule.

Nos. 145 and 146

See No. 42 above.



## Part II: Rights "to stray" only

Nos 9 (Emily Northmore), 11 (Mark Charles Northmore), 12 (George Sidney Lawrie Burroughes), 13 (Harold Alfred Butland and Winifred Ellen Butland), 14 (Arthur Cole), 15 (Norman Brown Youldon), 16 (William Thomas Mark Northmore), 17 (William Thomas Mark Northmore), 18 (William Thomas Mark Northmore), 19 (William Charles Hatch and Ernest Stanley Hatch), 20 (Bertie Hartland Worden), 34 (William Hedley Benney), 36 (Nora Veale), 38 (Ernest Frederick Palmer), 43 (Russell Hamlyn Manning), 45 (William Henry Legassick), 55 (Ernest Frederick Palmer), 56 (William Henry Legassick), 58 (Roborough Estate Trustees and J T Moyle), 59 (Roborough Estate Trustees and W T Damerell), 60 (Roborough Estate Trustees and A W Kingswell), 61 (Roborough Estate Trustees and W F Northmore), 62 (Roborough Estate Trustees and R W Damerell), 63 (Roborough Estate Trustees and J E Edwards), 64 (Roborough Estate Trustees and J A Damerell), 65 (Roborough Estate Trustees and T Elliot), 66 (Roborough Estate Trustees and K Kingswell), 67 (Roborough Estate Trustees and C P Stone), 68 (Roborough Estate Trustees), 89 (Elsie Elizabeth Daw), 90 (Roborough Estate Trustees and Maristow Estate), 93 (William Nelson Palmer), 99 (Ernest Richard Dickinson), 111 (Roborough Estate Trustees and J N Colton), 112 replaced by Nos 139 and 140 (Roborough Estate Trustees and L A and R Palmer), 114 (Roborough Estate Trustees and H G Palmer), 116 (Roborough Estate Trustees and W J Hillson), 120 (Denis Walker) and 126 (Ernest Frederick Palmer).

Representations:- Nos. 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 111, 112, 114 and 116 Roborough Estate Trustees were represented in 1982 by Mr C M Farrer and in 1983 by Mr E F Palmer. Nos. 55 and 126, Mr E F Palmer attended in person. No. 93, Mr W M Palmer was represented by Mr E F Palmer.

Objections:- Maristow No. 1011, does not exist at all applicable to Nos, 9, 11 to 20 inclusive, 36 and 38. Maristow No. 170 no fixed numbers for straying, applicable to Nos. 43, 45, 55 and 56. National Trust No. 1065 does not exist on part edged black (Wigford Dewerstone NT Part), applicable to Nos. 9, 11 to 16 inclusive, 20 and 36, Shaugh CA No. 1069, no numbers accepted for straying, applicable to Nos. 43 and 45. Shaugh CA No. 1070, no rights accepted, applicable to Nos. 9, 11 to 20 inclusive and 36, Meavy/Yennadon CA No. 1075, no right accepted, applicable to Nos. 58 to 68 inclusive and 99. Meavy/Yennadon CA No. 1076, no numbers accepted for straying, applicable to Nos. 38, 43, 45, 90, 93, 111, 112, 114, 116.

As to Nos. 15, 43, 55 and 93, see Third Schedule hereto. ID:- No. 15, AJCB/2 and NT/1; No. 43 AJCB/3 (Mr E F Palmer agreeing); Nos. 45, 55 and 93, refusal of confirmation agreed by Mr E F Palmer, see NT/2 and NT/3; as to No. 9, AJCB/6. 20 April 1983, Mr E F Palmer said No. 38 is withdrawn and Roborough Estate Trustees withdraw all their stray claims. F:- It was accepted (Mr Harker being absent) that rights to stray should not be confirmed.

CONFIRMATION REFUSED





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Part III: rights attached to lands outside Meavy,  
Sheepstor and Walkhampton and not included  
in Parts I and II

No. 69 (Holne Parish Lands Charity, in Holne), No. 70 (David Miller Scott, in Holne), No. 71 (H D and E M Pearce Gould, in Holne), No. 72 (Lewis Olver Perkins, in Holne), No. 73 (Alexander George Cousins, in Holne), No. 74 (Philip Robert Lane-Joynt, in Holne), No. 75 (Robert Ewing Adam, in Holne), No. 76 (Leonard Jackson, in Holne), No. 77 (Edwin Hopcroft Woodward and Isabella Amelia Woodward, Buckfastleigh West), No. 78 (Francis Arthur Perryman, in Holne), No. 79 (James Barnes Townsend, in Holne), No. 80 (Florence and Albert Edward Tozer, in Holne), No. 81 (Raymond George Northmore and Anne Bouvery Northmore, in Holne), No. 82 (Perge Albert Norrish, in Holne), No. 83 (George Ernest Jonathan Gawthorne, in Widcombe-in-the-Moor), No. 84 (Hugh Clarkson and Mary Isobel Clarkson, in Holne), No. 85 (Mary Isobel Clarkson, in Holne), No. 86 (William Henry Norrish, in West Buckfastleigh), No. 91 (Ernest Mowbray Glossop and Diana Edith Alica Glossop, in Whitchurch; replaced by No. 142 D & J A Sommerfield and No. 143 A W H and W M Baker), No. 108 (Ellen Amy Joyce Worthington, in South Tawton), No. 109 (Vera Ellen Knapman, in South Tawton),

Objections:- All within Maristow No. 1011, National Trust No. 1065, Shaugh CA No. 1070, and Meavy/Yennadon CA No. 1075; see under Part II above.

F:- It was understood (?) that No. 73 had been withdrawn. Mr Lowry said National Trust had agreed with Commander Smallwood not to object to No. 69 because he is an officer of the Charity, and with Captain P K Gray not to object to No. 70 he being the successor of Mr D J Scott; the Trust did not now object to Nos. 71, 72 and 75 to 86. I have letters to County Council (yellow forms) dated 17/10/73 signed P R Lane-Joynt, and 24/9/73 signed (2) W H Norrish agreeing to cancelation of Nos. 74, 82 and 86. Mr Palmer said a group the other side of Dartmoor, never exercised rights. All except Mr Lowry were against rights.

CONFIRMATION REFUSED



SECOND SCHEDULE  
(Objections)

Part I: Land Section

No. 25 made by Henry Harvie Cole and noted in the Register on 28 July 1969. Grounds (in effect):- The Wigford Greenwell Part was not common land at the date of registration.

No. 52 made by Watts Blake Bearn & Co. Ltd and noted in the Register on 21 July 1970. Grounds (in effect):- The Wigford Counting House Part consists of, as stated on the ordnance survey map, a counting house or dwellinghouse and garden and should be excluded from any commoners rights as the land referred to was not common land at the date of registration.

No. 636 made by Captain John Cromwell Frederick and noted in the Register on 17 February 1971. Grounds (in effect):- The Wigford Down and Lynch Common were not common land at the date of registration and no common rights are exercisable over them.

Part II: Rights Section

Note:- by subsection (7) of section 5 of the Commons Registration Act 1965 the above Part I Objections are to be treated as objections to the Rights Section registrations.

No. 262 made by English Clays Lovering Pochin & Co. Ltd and noted in the Register on 28 October 1970. Grounds (in effect):- That the rights do not exist at all; applicable to the registrations at Entry No. 3 and 38 others as specified in the First Schedule hereto.

No. 353 made by Roborough Estate Trustees and noted in the Register on 1 December 1970. Grounds (in effect):- That the rights registered at specified numbers do not exist at all, applicable to the registrations at Entry Nos. 2, 3 and 4.

No. 354 made by Roborough Estate Trustees and noted in the Register on 17 February 1971. Grounds (in effect):- No right exists at all over the Yennadon Roborough Part. Grazing rights registered are excessive, on the basis of the NFU Scale, common of pasture for 30 units and no rights for pigs.

No. 355 made by Roborough Estate Trustees and noted in the Register on 1 December 1970. Grounds (in effect):- No right of turbary exists at all; applicable to the registration at Entry No. 1.

No. 561 made by Shaugh Commoners Association and noted in the Register on 1 December 1970. Grounds (in effect):- No right accepted; applicable to the registrations at Entry Nos. 3 and 4.

No. 562 made by Shaugh Commoners Association and noted in the Register on 1 December 1970. Grounds (in effect):- Claim excessive; it is considered numbers should not exceed 1 beast or 5 sheep per acre of enclosed land; applicable to the registration at Entry No. 1.



No. 563 made by Meavy/Yennadon Commoners Association and noted in the Register on 1 December 1970. Grounds:- No right accepted; applicable to the registrations at Entry Nos. 1, 2, 3 and 4.

No. 1011 made by Maristow Estate Trustees and noted in the Register on 11 September 1972. Grounds:- Rights registered at the above numbers do not exist at all; applicable to the registration at Entry No. 9 and 45 other registrations as specified in the First Schedule hereto.

No. 1012 made by Maristow Estate Trustees and noted in the Register on 11 September 1972. Grounds:- Rights of turbary registered at the above numbers do not exist at all; applicable to the registration at Entry No. 6 and 30 other registrations as specified in the First Schedule hereto.

No. 1013 made by Maristow Estate Trustees and noted in the Register on 11 September 1972. Grounds:- The rights registered at the above numbers are excessive and should be reduced to the National Farmers' Union Scale; applicable to the registration at Entry No. 5 and 15 other registrations as specified in the First Schedule hereto.

No. 1014 and made by Maristow Estate Trustees. Grounds (in effect):- The rights of grazing do not exist at all in the Yennadon Roborough Part; applicable to the registrations at Entry Nos. 22, 24, 25, 27, 28, 33, 39 and 103.

No. 1016 made by Maristow Estate Trustees and noted in the Register on 11 September 1972. Grounds:- The right of tillage does not exist at all; applicable to the registration at Entry No. 5.

No. 1017 made by Maristow Estate Trustees and noted in the Register on 11 September 1972. Grounds:- No fixed numbers can be accepted for straying; applicable to registration at Entry Nos. 43, 45, 55, 56, 89, 93 and 126.

No. 1018 made by Maristow Estate Trustees and noted in the Register on 11 September 1972. Grounds:- A right of piscary as registered does not exist at all; applicable to the registration at Entry No. 107.

No. 1020 made on the application of Maristow Estate Trustees and noted in the Register on 11 September 1970. Grounds:- Rights of pannage as registered do not exist at all; applicable to the registrations at Entry Nos. 103 and 104.

No. 1031 made by Maristow Estate Trustees and noted in the Register on 11 September 1972. Grounds:- The rights of estovers as registered be confined to cutting bracken and fern only; applicable to the registrations at Entry Nos. Nos. 103, 104 and 106.

No. 1065 made by The National Trust and noted in the Register on 11 September 1972. Grounds (in effect):- The rights claimed do not exist on the Wigford Dewerstone NT Part; applicable to the registration at Entry No. 6 and 76 other registrations as specified in the First Schedule hereto.

No. 1066 made by Shaugh Commoners Association and noted in the Register on 11 September 1972. Grounds:- Claim excessive; it is considered numbers should



not exceed 1 beast or 5 sheep per acre of enclosed land; applicable to the registration at Entry No. 5 and 11 other registrations as specified in the First Schedule hereto.

No. 1067 made by Shaugh Commoners Association and noted in the Register on 11 September 1972. Grounds:- No right of tillage; applicable to the registration at Entry No. 5.

No. 1068 made by Shaugh Commoners Association and noted in the Register on 11 September 1972. Grounds:- No right of turbary; applicable to the registration at Entry No. 5 and 23 other registrations as specified in the First Schedule hereto.

No. 1069 made by Shaugh Commoners Association and noted in the Register on 11 September 1972. Grounds:- No numbers accepted for straying; applicable to the registration at Entry No. 43 and to 17 other registrations as specified in the First Schedule hereto.

No. 1070 made by Shaugh Commoners Association and noted in the Register on 11 September 1972. Grounds:- No right accepted; applicable to the registration at Entry No. 8 and to 43 other registrations as specified in the First Schedule hereto.

No. 1075 made by Meavy/Yennadon Commoners Association and noted in the Register on 11 September 1972. Grounds:- No right accepted; applicable to the registration at Entry No. 22 and 52 other registrations as specified in the First Schedule.

No. 1076 made by Meavy/Yennadon Commoners Association and noted in the Register on 11 September 1972. Grounds:- No numbers accepted for straying; applicable to the registration at Entry Nos. 38, 43, 45, 90, 93, 111, 112, 114 and 116.

No. 1077 made by Meavy/Yennadon Commoners Association and noted in the Register on 11 September 1972. Grounds:- No right of turbary; applicable to registration at Entry No. 8 and 12 other registrations as specified in the First Schedule.

No. 1078 made by Meavy/Yennadon Commoners Association and noted in the Register on 11 September 1972. Grounds:- Claim excessive; it is considered numbers should not exceed 1 beast or 5 sheep per acre of enclosed land; applicable to the registration at Entry No. 35 and 12 other registrations.

No. 1079 made by Meavy/Yennadon Commoners Association and noted in the Register on 11 September 1972. Grounds:- No right of pannage; applicable to the registration at Entry No. 104.

No. 1080 made by Meavy/Yennadon Commoners Association and noted in the Register on 11 September 1972. Grounds:- No right of estovers; applicable to the registration at Entry No. 104.



THIRD SCHEDULE  
(agreements made at May 1982 hearing)

Entry No. 103: Mr P G and Mrs P D Dean; Durance Farm, Lovaton:-

As regards Objection No. 1065 (National Trust) and Objection No. 1066 (Shaugh Commoners Association), Mr Goldberg was agreeable to the registration being modified by for "estovers" substituting "right to take bracken", by deleting "turbary pannage" and by for the grazing right substituting in accordance with the NFU Scale of one beast or 5 sheep per grazing acre, and deleting "(or equivalent: 5 sheep = 1 bullock)" and by adding in Column 4 the words excepting Yennadon Down. Mr Goldberg also agreed to any modification necessarily consequent on anything that might be done as a result of Objection No. 636 (Captain J C Frederick) about which there was some doubt at the hearing because the plan annexed to my copy of this Objection was not part of the Unit Land to which it related; Mr Goldberg said later that I would be informed of the agreed acreage of Durance Farm. Mr Lowry and Mr Farrer said they agreed Mr Goldberg's proposed modifications so far as they went. Later in the day I was informed by Mr Goldberg that he agreed the acreage at 106, so that the registration should as regards grazing read 106 cattle or 106 ponies or 530 sheep.

Entry No. 104:- Mr P G and Mrs P D Dean; Down Farm, Lovaton:-

Mr Goldberg was agreeable to the modification in all respects similar to that above set out in relation to Entry No. 103 save that there was to be no exception of Yennadon Down. Later in the day he informed me he agreed acreage of Down Farm at 89 so that the registration as regards grazing read 89 cattle or 89 ponies or 445 sheep.

Entry No. 7; Mr Richard George William and Mr James William Williams; Urgles Farm, Meavy:-

Mr Lowry on behalf of National Trust said that the registration was agreed provided turbary was removed. Mr C D Peek, chairman of Shaugh Commoners Association said at a recent meeting of his Association that he had spoken to Mr R G Williams and on the previous evening had spoken to Mr J W Williams and they were agreeable to the registration standing at 35 cattle or 250 sheep and to turbary being removed.

Entry No. 15:- Mr Norman Brown Youldon; North Road, Yelverton:-

Mr Lowry handed in a letter (NT/1) dated 15.5.82. from Mrs G M R Youldon to Michelmores saying in effect that her husband passed away on 17.11.78 and they had her express confirmation that any claim to these rights would be abandoned prior to the hearing on 24 May.

Entry No. 43; Mr Russell Hamlyn Manning; Yellomead Farm:-

Mr E F Palmer said he now owned Yellowmead Farm. Mr Lowry put in a letter (NT/2) from Mr Palmer to Michelmores withdrawing the claim. Mr Palmer that I could refuse to confirm this registration.



Entry No. 55; Mr E F Palmer; Lamb Park:-  
Mr Lowry referred to the said letter NT/1 in which Mr E F Palmer said he agreed to withdraw this Entry. Mr Palmer agreed that I could refuse to confirm this registration.

Entry No. 93; Mr W N Palmer; Hellington Farm:-  
→ Mr E F Palmer said that his brother Mr W N Palmer agreed to withdraw as he (E F Palmer) had written in NT/2 and accordingly I could refuse to confirm this registration.

Entry No. 45; Mr William Henry Legassick; Collytown Farm:-  
Mr Lowry handed in a letter /NT/3) dated 15.5.82. to Michelmores from Mr Legassick saying he wished to withdraw straying on rights on land at Wigford Down part 191 being the property of the National Trust.

Entry No. 46; Mrs Ivy Irene Legassick; Marchant Bridge, Meavy:-  
Mr Lowry handed in  
a letter dated 17.5.80 from Mrs Legassick referring to Objection No. 1065 and agreeing to withdraw her claim in respect of the part of Wigford Down referred to (Wigford Dewerstone NT Part).

#### FOURTH SCHEDULE

(Documents referred to or produced)

##### Part I: before 24 May 1982

1) Letter 26 April 1982 from Foot & Bowden Solicitors of Plymouth acting for Mrs M L Frederick and the Trustees of Captain J C Frederick's Will Trust as owners of Higher and Lower Belliver Farm at Clearbrook and as successors in title of Captain J C Frederick (maker of Land Section Object No. 636 and applicant for Rights Section registration at Entry No. 1) and of Mr L Creber (applicant for Rights Section registration at Entry No. 28):- As to Land Section withdraw Objection No. 636, and accept WBB Objection No. 52; as to Rights Section Entry No. 1 accept Roborough Objections Nos. 354 and 355 to the extent that they are no rights over part of Yennandon Down mentioned and no turbary; and as to Rights Section Entry No. 24 accept Maristow Objections Nos. 1012 and 1014 to the like extent and no turbary, and accept Shaugh Commoners Objection No. 1068 no turbary.

2) Letter 10 May 1982 from Foot & Bowden on behalf as aforesaid: accept Roborough Objection No. 354 so amend Entry No. 1 to Common of pasture 30 units on NFU scale, and accept Shaugh Commoners Objection No. 562 (also to Entry No. 1) to reduce to one beast or five sheep per acre of enclosed land. With this letter was enclosed a copy letter dated 10 May from Dr R Young as Hon Secretary of Meavy Yennadon Commoners withdrawing their Objections Nos. 563 and 1075 so far as they "extend to any commoners other than Yennadon Common alone".



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(3) Letters of 18 May 1982 from Foot & Bowden on behalf as aforesaid, letter of 18 May 1982 from Michelmore, Solicitors of Exeter on behalf of National Trust and letter of 19 May 1982 from Land & Properties (ECC) Ltd on behalf of ECLP to the effect that they had agreed: (a) National Trust Objection No. 1065 is withdrawn as regards Entry No. 28 only on terms that column 4 reads "turbary, to take stones to cut bracken and rushes, to graze 25 cattle over that part of register unit known as Wigford Down"; and (b) ECLP withdraws their objection to Entry No. 28 so far as it relates to rights to graze cattle over the Wigford ECLP Part.

(4) Letter dated 20 May 1982 from Land & Properties (ECC) Ltd on behalf of ECLP withdrawing their objections to the registrations at Entry No. 44 (W J and E M Vanstone) and Nos. 46 (I I Legassick) so far as it related to grazing cattle on the understanding that turbary, to take stones and to cut bracken and rushes" is withdrawn.

Part II: produced 24 May 1982  
on behalf of National Trust

|      |             |  |
|------|-------------|--|
| NT/1 | 15.5.82     | Letter from Mrs G M R Youlden (Entry No. 15) to Michelmores.   |
| NT/2 | 15 May 1982 | Letter from E F Palmer to Michelmores (Entry Nos. 43 in succession to R H Manning, 93 for W N Palmer and 55 for himself).  |
| NT/3 | 15.5.82     | Letter from W H Legassick to Michelmores (Entry No. 45).   |
| NT/4 | 17.5.82     | Letter from I L Legassick agreeing Objection No. 1065 (Entry No. 46).  |
| NT/5 | -           |  |
| NT/6 | undated     | Letter from Mrs B E Vanstone to Clerk of Commons Commissioners (Entry No. 49) amend Column 4 so as to read "graze 5 cattle and 125 sheep or any combination on the basis of 1 beast/ 5 sheep over that part of this register unit known as Wigford Down. |



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Part III: after 24 May 1982 and before 19 April 1983

- (1) Two letters (undated) signed by I I Legassick (enclosed with below mentioned letter 18 January 1983 from Farrer & Co) about Rights Section registration at Entry Nos. 45 and 46 agreeing Objection Nos. 25, 52, 636, 1017, 1065 and 1069/1068 and withdrawing her claim to the land referred to.
- (2) Letter dated 22.5.82 from W T Northmore (enclosed as aforesaid) agreeing to his right to graze on Lynch Down to be in accordance with NFU Scale on his 51 acres owned at Lovaton, Meavy and withdrawing his claim to all rights "on Wigford Down & Meavy Common (Yennadon)". Letter said to refer to Entry No. 24 (? 36).
- (3) Letter dated 4 November 1982 from Devon County Council saying they wish to maintain the registration against Captain Frederick Objection No. 636 but not against Cole Objection No. 25 or WBB Objection No. 52.
- (4) Letter dated 18 January 1983 from Farrer & Co Solicitors of London on behalf of Roborough saying they agreed that the piece of land referred to in Ownership Section Entry No. 3 was in the ownership of Mr H H Cole, so the conflict between Entry Nos. 1 and it has been resolved; and agreeing modifications of the registrations at the following Entry Nos:- No. 5 withdraw "tillage" and amend the grazing numbers to NFU Scale; No. 6 withdraw "turbary and taking stones" and amend grazing numbers to NFU Scale for 13 acres; numbers 47 and 48, withdraw "turbary and amend grazing numbers to NFU Scale; No. 50, "withdraw "turbary" and amend grazing numbers to NFU Scale for 94 acres; No. 57 withdraw "turbary and amend grazing numbers to NFU Scale for 13 acres 8 poles; No. 123 withdraw "turbary (formed grazing numbers complies with NFU Scale). Also letter dated 13 April 1983 from Bellingham & Crocker on behalf of A H Cole, R Hill, R E Skelley, N K Skelley, R H Hussey and D J Skelley agreeing said January 1983 letter.

Part IV by Mr Beaumont on 19 April 1983

AJCB/1            23/6/82

Withdrawal signed by R G Williams and J W Williams (No. 7) of turbary and agreeing amend in accordance with NFU Scale for 40 acres.





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|            |              |  |
|------------|--------------|--|
| AJCB/2     | 16/6/82      | Withdrawal signed by G M Youldon (No. 15) withdrawing displaying in respect of straying rights.  |
| AJCB/3     | May 11 1982  | Amendment of claim signed by E F Palmer (No. 43 agreeing to no specific numbers for straying).   |
| AJCB/4     | 24 June 1982 | Withdrawal signed by Foot and Bowden on behalf of Captain J C Frederick withdrawing his claim for Turbary amending his claim for grazing rights to the NFU Scale based on 25 acres.  |
| AJCB/5     | 18 June 1982 | Withdrawals signed by H Piper (No. 8), withdrawing turbary.  |
| AJCB/6     | 10 July 1982 | Withdrawal signed by Emily Northmore (No. 9) "no rights accepted".   |
| AJCB/7     | 23/6/82      | Withdrawal signed by Roger C (?) Young of Yennadon House, Dousland as owner of OS Nos formerly owned by Mr Foulds (No. 10) withdrawing turbary.  |
| AJCB/8     | 23 June 1982 | Withdrawal signed by (?) (No. 99) withdrawing "no right accepted; no right accepted with regard to straying rights only".  |
| AJCB/9     | 24 June 1982 | Withdrawal signed Foot and Bowden on behalf of Trustees of conveyance dated 25 February 1970 (No. 28) withdrawing turbary and agreeing to limit claim for grazing rights "to that part of the moor known as Wigford Down and Lynch Common only". |
| AJCB/10-11 | --           | --   |
| AJCB/12    | 24/6/82      | Withdrawal signed by E C Worden (No. 21), agree withdraw turbary and amend claim to NFU Scale for 15 acres.  |



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- CB/13 23/6/82 Withdrawal signed by (?) A B Jenkins (No. 22) of turbary.
- CB/14 17/6/82 Withdrawal signed by R Young (No. 29) of turbary.
- CB/14 30/3/76 Withdrawal signed by E C Worden (No. 25) of turbary.  
(is)
- CB/15 June 21 1982 Withdrawal signed by F H Northmore (No. 30) of turbary.
- CB/15 January 1983 Letter signed by Reginald J Stokes of Basin Cottage Lovaton (? No. 32) about OS No. 5607; it is in excess of one acre and should entitle me to one unit NFU Scale; agrees abide by scale and does not wish to claim any other rights.  
(is)
- CB/16 18/1/83 Paper signed G Ledger (No. 35) agreeing to amend claim to NFU Scale in respect of OS No. 1192 to 1.3 acres and to restrict claim to Yennandon Common only.
- CB/17 23 June 1983 Amendment signed Thomas Hyde (No. 35) as owner of field OS No. 0712 served by D Walker by conveyance of June 1981; in accordance with NFU Scale for ... 34 acres.
- CB/18 23/6/83 Amendment signed (?) (No. 35) as owner of field originally owned by Mr D Walker under a conveyance dated June 1981; amend in accordance with NFU Scale for 2½ acres.
- CB/19 undated Compliments of G Ledger of Moor Wings, Burrator Road with copy particulars of sale by auction on 29 May 1981 of 3 lots with plan (acreage 2.67, 2.34 and 1.30).
- CB/20 Document signed on behalf of Roborough and Maristow Trustees stating Nos. 39 (agreed limit rights to Wigford Down and Lynch Common); No. 41 agree to NFU Scale for 100 acres, Nos. 58, 59, 60, 61, 62, 63, 64, 65, 66, 67 and 68 if held straying rights registrable limit to Wigford Down and Lynch Common; No. 90, Objection accepted; No. 94 amend to NFU Scale for 90 acres; Nos. 111 and 102 withdraw; Nos. 111, 112, 114, 116, as for No. 58.



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|         |                |   |
|---------|----------------|---|
| AJCB/21 |                | Withdrawal signed by R Lilley and L D Callicott (No. 52) withdrawing turbarry limiting grazing rights for the 16.82 acres owned by Mr Lilley to NFU Scale for 16 acres, and for the 8.6 acres owned by Mr Callicott to NFU Scale for 8 acres (plan attached). |
| AJCB/23 | 5 July 1983    | Letter by Chilcotts Solicitors of Plymouth on behalf of Executors of Mrs K S McDonald deceased (No. 105) withdrawing claim of turbarry.   |
| AJCB/24 | 26 June 1982   | Withdrawal signed by A J J Farley (No. 106) withdrawing claim to estover.   |
| AJCB/25 | 18 June 1982   | Ditto withdrawing claim for turbarry.   |
| AJCB/26 | June 16 1982 . | Withdrawal signed by J G Measures (No. 107) withdrawing claim for turbarry agreeing amendment in accordance with NFU Scale 5 acres.   |

Note:- I also have a "proof of evidence" dated 23 May 1982 and signed by Mr A J C Beaumont to which is attached as Appendix I a "list of commoners confirmed to have common rights on Yennandon/Meavy Common as approved by the Plymouth Corporation Bill of December 1922" together with signed memoranda withdrawing rights of turbarry at Entry Nos. 8, 46, 50 and 105. But I have no note or recollection of it being referred to at the hearing.

Part V: by Mr A H Cole

|         |                  |   |
|---------|------------------|---|
| AHC/210 | 31 December 1942 | Conveyance by Captain Richard Owen Tapps Gervis Meyrick with the concurrence of his Trustees to Henry Harvie Cole of 186a. 22p. known as Greenwell Farm, as described in the Schedule and delineated on plan. |
| AHC/202 | 1 June 1981      | Deed of gift by Henry Harvie Cole to Arnold Henry Cole of the said premises.  |

Part VI: by Mr G Dawes for WBB

|       |             |   |
|-------|-------------|---|
| WBB/1 | 20 May 1982 | Written Statement by J D Pike on behalf of WBB. |
|-------|-------------|---|



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WBB/2            15 June 1949            Service tenancy granted by WBB to Leonard Vincent of "house known as The Counting House".

WBB/3            13 May 1982            Letter from County Council to WBB.

## Part VI: by Mr E W F Webb

EWFW/1            --                        Draft, contract for the purchase of the land subsequently conveyed as below mentioned.

EWFW/2            15 June 1976            Conveyance by Hon R Z C Lopes, E J Ivory, C M Farrer and J Ivery to E W F Webb and J J Webb of land in Sheepstor containing 26.75 acres with dwellinghouse known as Burrator House shown on plan No. 1.

EWFW/3            25 October 1977        Copy letter from E W F Webb to West Devon District Council requesting register be corrected.

EWFW/4            27 October 1977        Reply to EWFW/3 saying forwarded to County Council.

EWFW/5            29 September 1978     Copy letter from E W F Webb to Devon County Council requesting reply to EWFW/4.

## Part VII: by Mr E F Palmer

--                15 December 1929        Quarto manuscript book recording meetings to 15 January 1981 of Meavy/Yennadon Commoners between said dates.

--                9 December 1922        From Town Clerk's office, Plymouth headed "Plymouth Corporation Bill" with amended list of Commoners (said 1922 letter pasted into said book).



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EFP/1

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Memorandum referring to proceedings at the Court at Lydford in the year 1582, 1586, 1587, 1589 and 1608 from it might be deduced that the Foresters and Lydford Court "were trying to bluff the inhabitants of Brisworthy into repairing", based on Samuel Rowe (1848) pages 276, 277 and 164, and on Worths' Dartmoor pages 339 and 340; and referring also to proceedings before his Honour Judge Pratt by Devon County Council against Mr Dean who had in 1969 fenced a large area of open moor land and who succeeded in such proceedings.

TURN OVER



## Part VIII; by Lady S R P Sayer

- Lady S/301 19 April 1983 Statement of evidence.
- Appendix I, to said statement being two colour photographs: (a) looking south over Greenwell Down to Wigford Down, and (b) area of Greenwell Down north of the Clearbrook-Brisworthy Road.
- Appendix IA, tracing from Tithe map 1842 showing part of Wigford Down belonging to Manor of Shaugh Prior.
- Appendix II, tracing ditto, showing part of Wigford Down by Higher Belliver.
- Appendix III, tracing ditto showing Greenwell Down.
- Lady S/302 -- Map prepared by Devon County Council showing with a green-red outline the lands which were therein marked as "Commons of Devon".

## Part IX: by ECLP

- ECLP/1 24 May 1982 Letter addressed to Clerk of Commons Commissioners signed by Mrs I I Leggassick about Entry No. 46 agreeing to withdraw claim to turbary, take stones and cut bracken on understanding company withdraw objection to grazing.
- ECLP/2 -- Map showing Wigford and Lynch part of Unit land, Meavy Parish Boundary and Commons of Devon per Birketts Monograph.
- ECLP/3 -- Map Dartmoor and Adjacent Commons with list of Venville Parishes from Dartmoor Commoners Association's Memorandum to Royal Commission on Common Land.
- ECLP/4 1967 Map of Dartmoor and the Commons of Devon from Commons and Village Greens by Denman, Roberts and Smith, with list of Venville Parishes.



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ECLP/5            22 October 1946            Conveyance by Alfred Clough to The Brisworthy China Clay Company Limited ("BCC") of Farm House and land known as Brisworthy containing about 56a. 26p. and (Second Schedule) Brisworthy Farm containing about 98a. 1r. 14p. and Brisworthy Burrows and part Wigford Down containing 144a. 1r. 1p. "subject to rights of common" ... excepted ...  
(3) The counting house and garden number 575 on Ordnance map".

ECLP/6            15 October 1969            Conveyance by BCC to ECLP of the said premises subject as aforesaid.

ECLP/7            25.5.82                      Letter signed by W T Northmore of Torr Farm relating to Entry Nos. 24 and 26 confirming agreement by which he withdraws turbarry, to take stones and to cut bracken on understanding company withdraws objection to grazing.

ECLP/8            24 May 1982                 Letter signed by W J Vanstone relating to Entry No. 44 in same form as ECLP/7 above.

## Part X: after hearing

- (1) 21 April 1983. Letter from E W F Webb left in Plymouth for Commons Commissioner and an extra copy (later, handed to Mr Beaumont).
- (2) 29 April 1983. Letter from Farrer & Co on behalf of Roborough Trustees about Entry Nos. 121 and 122 agreeing to withdraw their objection against the two grazing claims provided Mr Skelley modifies his claims to conform with the NFU scale.
- (3) 6 May 1983. Letter from Bellingham & Crocker agreeing to (2).
- (4) 23 May 1983. Letter from Farrer and Co on behalf of Maristow Estate in answer to No. (1) above.
- (5) 28 July 1983. Letter from Mr E F Palmer saying that the acreages of certain registrations which were at the hearing promised have been agreed by Messrs Bellingham & Crocker and Mr Andrew Beaumont.
- (6) 22 August 1983. Letter from Bellingham and Crocker saying the following acreages have been agreed between them on behalf of Messrs H C Skelley and R E Skelley, and Mr A J C Beaumont on behalf of the Yennadon/Meavy Commoners Association Entry No. 121 (H C Skelley) 55 acres, Entry No. 122 (H C Skelley) 47 acres, and Entry No. (R E Skelley) 3 acres; and saying that as regards Entry No. 145 (R E Skelley) agreement had not been reached and qualifying No. 121 by saying that part had been sold since the date of registration and the said acreage referred to the present and not the original holding.



FIFTH SCHEDULE  
(Decision Table)

1. For the reasons set out under the headings, Wigford Greenwell Part, Wigford County House Part and Captain Frederick's Objection No. 636, I CONFIRM the Land Section registration at Entry No. 1 with the MODIFICATION that there be removed from the Register:-

(A) the land edged pink on the plan attached to Objection No. 25 made by Henry Harvie Cole being the land in this decision called "Wigford Greenwell Part"; and

(B) the plot of land indicated on the plan attached to Objection No. 52 made by Watts Blake Bearne & Co Ltd and edged in red on such plan being the lane in this decision called the Wigford Counting House Part.

2. For the reasons given under the heading Ownership, I CONFIRM the Ownership Section registration at Entry No. 1 with the MODIFICATION that in column 5 there be removed from the land therein stated to be hatched in red and lettered A on the map so much if any of the land specified in paragraph (A) of paragraph 1 of this Schedule and in this decision called the Wigford Greenwell Part; and I CONFIRM the Ownership Section registration at Entry No. 3 with the MODIFICATION that in column 5 there be removed from the land therein stated to be hatched in red and lettered C on the register map so much if any of it as is now also land specified in paragraph (A) of paragraph 1 of this Schedule.

Note:- by the operation of subsection (3) of section 6 of the Commons Registration Act 1965, the County Council as registration authority will when they have given effect to paragraph 1 of this Schedule be obliged to cancel the Ownership Section registration at Entry No. 3.

3. For the reasons stated under the headings Venville, Man of Devon, and Burrator registration, I REFUSE TO CONFIRM the Rights Section registration at Entry Nos. 3, 4, 97, 117, 118 and 54.

4. For the reasons stated under the heading Others and having regard to the evidence given, the agreements made and the other information made available to me at the hearing as recorded in the First Schedule hereto

(A) I REFUSE TO CONFIRM the Rights Section registrations the numbers of which are in the First Schedule hereto under written CONFIRMATION REFUSED, that is to say in Part I of such Schedule Nos. 2, 27, 31, 95, 101 and 102; in Part II of the said Schedule Nos. 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 34, 36, 38, 43, 45, 55, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 89, 90, 93, 99, 111, 112, 114, 116, 120 and 126; and in Part III of the said Schedule being Nos. 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 91, 108 and 109.

(B) I CONFIRM without any modification save such as is necessarily consequential on the removal from the Register of the lands specified in subparagraphs (A) and (B) of paragraph 1 of this Schedule, the registrations the numbers of which are in the First Schedule hereto under written "CONFIRM without any modification", that is to say Nos. 40, 42, 87, 88, 92, 98 and 115.





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(C) I CONFIRM with the MODIFICATIONS specified in Part I of the First Schedule hereto (together with the said necessarily consequential modification) the registrations the numbers of which are in such part under written "CONFIRM with the MODIFICATION" that is to say Nos. 1, 5, 6, 7, 8, 10, 21, 22, 23, 24, 25, 26, 28, 29, 30, 32, 33, 35, 37, 39, 41, 44, 46, 47, 48, 49, 50, 52, 53, 57, 94, 96, 100, 103, 104, 105, 106, 107, 110, 113, 119, 121, 122, 123, 124 and 125.

5. Any Rights Section registration in this Schedule specified shall be deemed to include any registration or registrations which have replaced it.

6. Where anywhere in this decision liberty to apply is granted, such application should be made within three months from the day on which this decision is sent out (or such extended time as a Commons Commissioner may allow) and should in the first instance be by letter to the Clerk of the Commons Commissioners stating the mistake or error and the applicants reasons for thinking it should be corrected. A copy of the application should be sent to any person who might be adversely by the application being granted and for their information to the County Council as registration authority. As a result of the application a Commons Commissioner may direct a further hearing, unless he is satisfied that the error or mistake is obvious and all those concerned are agreeable. Of such further hearing notice will be given only to those persons who on the information available to the Commons Commissioner appear to him to be concerned with the registration in question. Any person who wishes to be given notice of any such further hearing should by letter inform the Clerk of the Commons Commissioners as soon as possible specifying the registration a further hearing about which he might wish to attend or be represented at.

Dated the 20<sup>th</sup> day of June 1984.

*A. A. Baden Fuller*

Commons Commissioner