



Court Case

Doe dem Biggs v. White and another

This action was brought to recover the possession of certain Premises, &c. part of the Manor of East Codford. The Manor of East Codford, it appeared, formerly belonged to a Mr Wm. Bennet of Norton Bavant, who, by his will, dated Feb. 14, 1781, devised it to his wife. Sometime after the death of Mr Benett, Mrs Benett married a Mr Parry, to whom she conveyed this property, for the term of hid natural life, when it wa again to revert to herself, Mr Parry to have the power to demise any part of the said Manor on leases, for terms *not exceeding* 21 years, at the best yearly rent; but in defiance of this limitation to his leasing power, Mr Parry let that portion of the Manor now sought to be recovered, for a term of 99 years. After Mr Parry's death, Mrs P. sold the whole Manor to Mr Biggs of Stockton for £20,000, who now contended that the leases under which the defendants retained possession were to all intents null and void and that he was entitled to recover. For the defendants, it was argued, that by one of the deeds put in, Mrs Parry recognized the defendants as tenants; that a formal demand of the premises ought to have been made, before an action of ejectment could stand; that no such demand had been made and that the plaintiff should be nonsuited. His Lordship thought that the language of the schedule alluded to, could not be construed into a recognition; in his opinion it was a mere description of the premises; he would however, reserve the question for the decision of the Court of King's Bench.- A verdict was therefore consented to be taken for the plaintiff, subject to that decision.

Counsel for plaintiff, Mr Adam and Mr Grant; attorney Mr Thring, Counsel for defendant Mr Sergt. Pell; attorney Mr Boor.

(Devizes and Wiltshire Gazette, Thursday 13th July, 1823)