



COMMONS REGISTRATION ACT 1965

Reference No 276/U/51

In the Matter of a Tract of land known  
as Craig Boeth Llangynog Montgomery D

DECISION

This reference relates to the question of the ownership of land known as Craig Boeth, Llangynog, Montgomery D being the land comprised in the Lana Section of Register Unit No CL67(M) in the Register of Common Land maintained by the former Montgomeryshire County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference J F Prust and others claimed to be the freehold owners of the land in question and no other person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Welshpool on 9 December 1976.

Mr R Prust appeared on behalf of J F Prust and others and claimed that the land in question was conveyed to them by a conveyance dated 26 May 1972 made between Annie Jones and J F Prust and others. By the said conveyance certain lands were conveyed "together with such rights and title as the Vendor can convey to the exclusive right of eatage or sheepwalk attached thereto or held therewith". In my view a "right of eatage or sheepwalk" is a right of common and these words are not appropriate to describe a freehold interest. There is the further point that Mrs Jones did not warrant any title even to "right of eatage or sheepwalk".

On this evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 of the Act of 1965.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this 30<sup>th</sup> day of December 1976

C. A. Little

Commons Commissioner