



In the Matter of Communs Pant-Glas,  
Uwchygarreg, Montgomery D

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. CL 119(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 claims were made to ownership of different sections of the land in question ("the Unit land").

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Welshpool on 24 February 1982. At the hearing Mr B Jones, Solicitor, of the firm of Humphreys and Parsons, appeared on behalf of Mr P Thomas, and Mr H Evans, Solicitor, of the firm of Henry Evans Roberts and Co., appeared on behalf of Miss M E Morgan.

(1) Miss Morgan's claim relates to a section ("the East section") of the Unit land adjoining its eastern boundary, which itself adjoins a property called Maesdulas. The East section is hatched red on a map which was produced and is annexed to this Decision and marked "M". By a Conveyance dated 24 March 1923 the farmhouse and pieces of land known as Maesdulas and comprising some 52 acres were conveyed to Thomas Morgan: after his death there was a written Assent dated 17 October 1972 by which his personal representative assented to this property vesting in Miss Morgan, Miss Morgan in evidence said that her father Thomas Morgan was tenant of Maedulas in 1921 when the East section was fenced in: since the purchase in 1923 it has been held as part of Maedulas - no one had disputed their claim to own it and her present tenant has put up a new fence.

(2) Mr P Thomas's claim relates to another section ("the middle section") of the Unit land, which is hatched blue on a plan which was produced and is annexed to this Decision and marked "PT". The eastern boundary of this section is the western boundary of the East section, and both sections extend to the northern and southern boundaries of the Unit land. On the northern boundary is a property called Caepoeth, and by a Conveyance dated 7 July 1942 this property with the sheepwalk belonging thereto was conveyed to Pryce B Thomas. Mr Thomas giving evidence said that he had known the property for some years prior to his purchase in 1942: that the middle section had been fenced in by previous owners and had been re-seeded by him and used for grazing his animals: no one else had used or claimed it. Miss Morgan in her evidence said that the middle section was part of Caepoeth and that there was no conflict as to the boundary of the two sections.

(3) At the hearing there was no claim to ownership of the remaining section ("the West section") of the Unit land, but a claim has since been submitted by the firm of Guthrie Jones and Jones, Solicitors, on behalf of their client Mr William Pugh Micah, who they inform me was not aware of the hearing until after it had been held. I have been furnished with three documents: by the first, dated 31 January 1931 freehold premises known as Pantglas Farm were conveyed by the Marquess of Londonderry to Lewis Micah, W R Micah and J E Micah. These premises included the West section. By a Deed of Family Arrangement dated 30 March 1960 made between Lewis Micah, W R



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Micah and J E Micah the same premises were conveyed and released to J E Micah: and he by a Conveyance dated 26 October 1972 conveyed them to himself, his wife Lilian Micah and William Pugh Micah. Again it appears that there is no conflict as to the boundary between the West Section and the Middle Section.

On the evidence I am satisfied that the respective claims to ownership have been established and I shall accordingly direct the Powys County Council, as registration authority, to register Miss M E Morgan as owner of the East Section, Mr P Thomas as owner of the Middle Section and Mr J E Micah, Mrs Lilian Micah and Mr W P Micah as owners of the West Section.

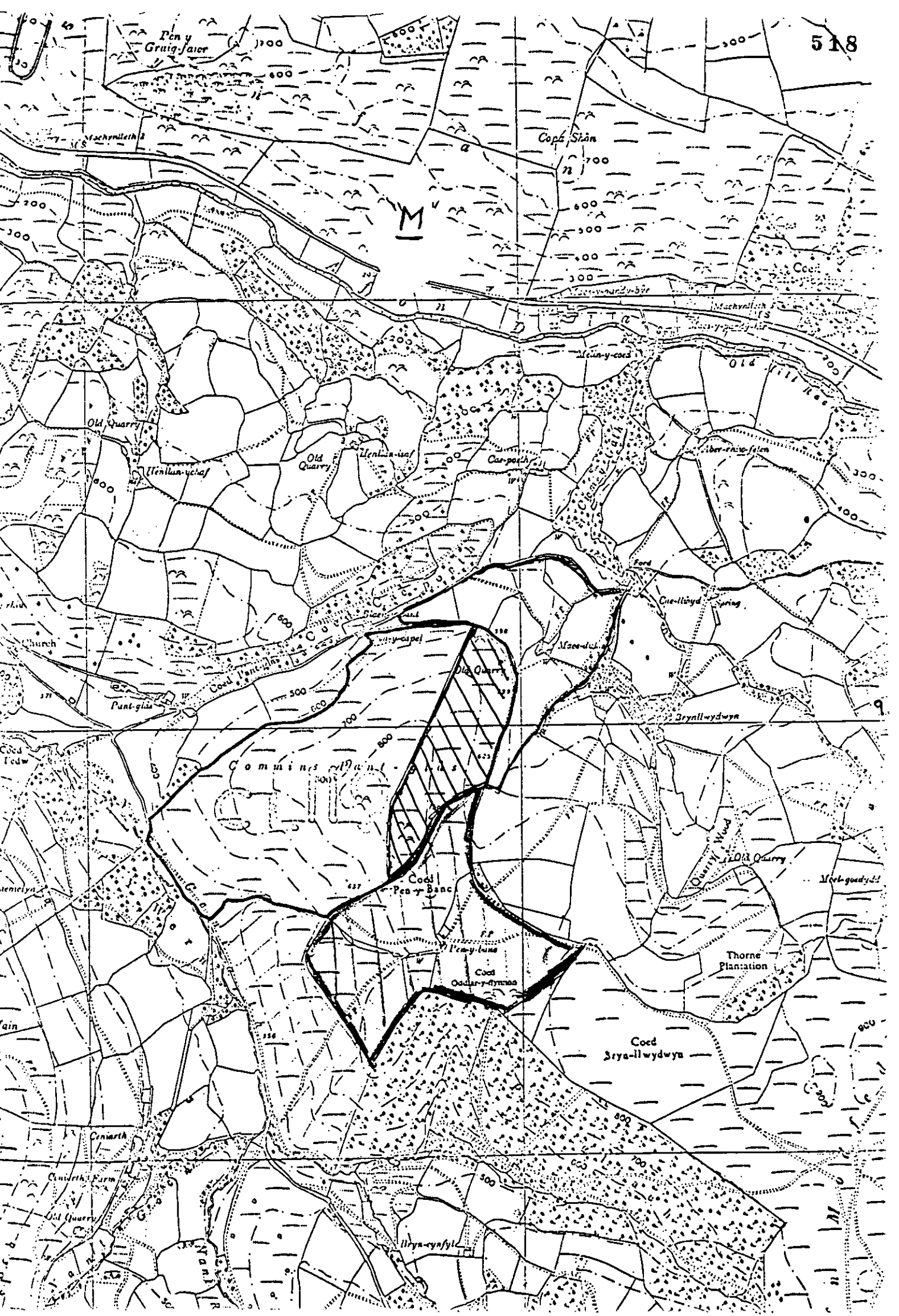
I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High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

Dated

3 June

1982

*L. J. Morris Smith*  
Commons Commissioner



Pen y Graig-fair

Copa Sian

M

Old Quarry

Mentha-ias

Car-poch

Cae-llwyd Spring

Church

Coed Pen-y-Banc

Old Quarry

Bryn-llwyd

Comins Aman

Coed Pen-y-Banc

Coed Oddyry-dymod

Thorne Plantation

Coed Bryn-llwyd

Cenarth

Coed Pen-y-Banc

llyn-cynsyl

M

PT



I certify that this is a true and correct copy of the map registered.