



In the Matter of Mynydd Ysguborwen, Tywyn

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DECISION

This reference relates to the question of the ownership of the land described above being the land comprised in the Land Section of Register Unit No. CL 112 in the Register of Common Land maintained by the former Merioneth 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 the Personal Representatives of Henry Caradoc Rees claimed to be the freehold owners of the land in question ("the Unit Land") 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 Dolgellau on 1 May 1980.

At the hearing Mr B J Williams of the firm of Williams and Hancock, Solicitors, appeared on behalf of the Claimants.

The title adduced on behalf of the Claimants starts with an Assent dated 14 April 1958 in favour of J F Williams Wynne of property which included two sheepwalks Tyn-yr-eithin and Cynllwyn part of which is the Unit land (see the Statutory Declaration of J F Williams Wynne dated 23 February 1979). By a Conveyance dated 31 March 1965 J F Williams Wynne conveyed to trustees (inter alia) the Sheepwalk therein described, which was or comprised the Unit land, and by a Conveyance dated 8 June 1978 the trustees conveyed to W R C Williams Wynne the property comprised in the Conveyance of 31 March 1965. Finally by a Conveyance dated 5 February 1979 WRC Williams Wynne conveyed to Henry Caradoc Rees the sheepwalk therein described, which included the Unit land.

The Statutory Declaration above referred to deposes to uninterrupted possession of the Sheepwalk since 1948. HC Rees died on 4 July 1979. Letters of administration were on 14 February 1980 granted to Mrs Aranwen Rees and Gareth Rees who, I am satisfied on the evidence, are the owners of the Unit land.

I shall accordingly direct the Gwynedd County Council, as registration authority, to register them as the owners under section 9(2) 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

9 June

1980

*L. J. Morris Smith*

Commons Commissioner