

**BOROUGH OF MARLBOROUGH.**



# **BYELAWS**

made by the Mayor, Aldermen and Burgesses of the Borough of  
Marlborough, acting by the Council, in pursuance of a Scheme  
made by them and approved by the Minister of Agriculture and  
Fisheries under the provisions of the Commons Act, 1899, with  
respect to the

# **COMMON**

known as Marlborough Common, in the Parish of Marlborough,  
in the County of Wilts, for the Prevention of Nuisances and  
the Preservation of Order on the said Common.

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made by the MAYOR, ALDERMEN AND BURGESSES OF THE BOROUGH OF MARLBOROUGH, acting by the COUNCIL, in pursuance of a Scheme made by them and approved by the MINISTER OF AGRICULTURE AND FISHERIES under the provisions of the Commons Act, 1899, with respect to the COMMON, known as MARLBOROUGH COMMON, in the PARISH OF MARLBOROUGH, in the COUNTY OF WILTS,

for

the PREVENTION OF NUISANCES and the PRESERVATION OF ORDER on the said Common.

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1. Throughout these byelaws the expression "the Council" means the Mayor, Aldermen and Burgesses of the Borough of Marlborough, acting by the Council, and the expression "the Common" means the piece of land with the ponds, paths and roads thereon commonly known as Marlborough Common situate in the parish of Marlborough in the County of Wilts and referred to as "the Common" in the scheme approved under the Commons Act, 1899, on the 12th day of October, 1937, by the Minister of Agriculture and Fisheries, and the expression "the Scheme" means the aforesaid Scheme.

2. A person shall not without lawful authority place or deposit and leave on the Common, road-sand, materials for the repair of roads, wood, glass, china or other refuse or litter, so as to affect or tend to affect injuriously the public amenities of the Common.

3. A person shall not without lawful authority dig, cut or take turf, sods, gravel, sand, clay or other substance on or from the Common, or cut, fell or carelessly or negligently injure any gorse, heather, timber or other tree, shrub, brushwood or other plant growing on the Common.

4. A person shall not carelessly or negligently injure or deface or without lawful authority remove any seat, shelter, pavilion, drinking fountain, fence, notice-board, or any works erected or maintained by the Council on the Common.

5. A person shall not without lawful authority post or paint any bill, placard, advertisement or notice on any tree or fence, erection or notice-board on the Common.

6. A person shall not without lawful authority catch birds, set traps or nets or lay snares for birds or other animals, take birds' eggs or nests or shoot or chase game or other animals on the Common.

Provided that this byelaw shall not be deemed to apply where an offence is committed against The Malicious Damage Act, 1861.

7. A person shall not without lawful authority draw, drive or place upon the Common any carriage, cart, caravan, truck, motor-cycle, or other vehicle, except a vehicle used for the conveyance of a child or children or an invalid, or any aircraft (except in the case of accident or other sufficient cause) or camp or light any fire thereon.

Provided that this byelaw shall not be deemed to apply where an offence is committed against Section 193 of the Law of Property Act, 1925.

8. A person shall not, except in the case of a fair lawfully held, place on the Common any show, exhibition, swing, roundabout or other like thing.

9. A person shall not without lawful authority fire or discharge any fire-arm on the Common.

10. A person shall not, to the damage, annoyance or danger of any person, throw or discharge any missile on the Common.

11. A person resorting to the Common and playing, or taking



part in any game for which the exclusive use of any space has been set apart shall

1. not play on the space any game other than the game for which it is set apart.

2. in preparing for playing and in playing use reasonable care to prevent undue interference with the proper use of the Common by other persons.

3. when the space is already occupied by other players not begin to play thereon without their permission.

12. Where the Council set apart any part of the Common for the purpose of Children's Games, as may be described on a notice-board affixed or set up in a conspicuous position near thereto, a person over the age of 14 years and not in charge of a child or children under that age shall not play or take part in any game on such part of the Common.

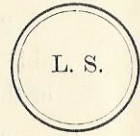
13. A person shall not without lawful authority turn out or permit to remain on the Common any cattle, sheep, or other animal.

14. A person shall not hinder or obstruct an officer of the Council in the exercise of his powers and duties under the Scheme or under any of the foregoing byelaws.

15. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding two pounds.

16. An officer of the Council may after due warning remove from the Common any vehicle or animal drawn, driven or placed, or any structure erected or placed thereon in contravention of the Scheme or of any byelaw made thereunder and may exclude from the Common any person who within his view commits, or whom he reasonably suspects of committing, an offence against any such byelaw or against the Vagrancy Act, 1824.

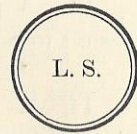
*The foregoing byelaws were approved and made by the Mayor, Aldermen and Burgesses of the Borough of Marlborough, acting by the Council, at a Meeting held on the 4th day of April, 1938, and their Common Seal was hereto affixed this 4th day of April, 1938, by order of the Council in the presence of*



W. J. BURCHELL,  
Mayor.

W. H. VOWLES,  
Town Clerk.

*The foregoing byelaws are hereby confirmed by the Minister of Health this nineteenth day of May, 1938, and shall come into operation on the first day of July, 1938.*



F. SLATOR,  
Assistant Secretary, Ministry of Health.