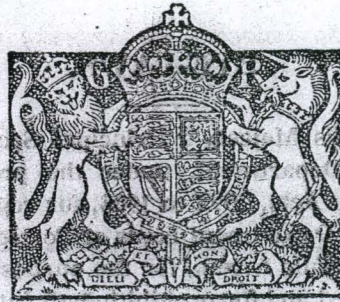


1935

Revoked



PORTSDOWN HILL

MILITARY LANDS.

BYE-LAWS

Made by His Majesty's Principal Secretary of State for the War Department, under the provisions of the Military Lands Acts, 1892 to 1903, for regulating the use of certain War Department lands at Portsdown Hill as set out in the Schedule hereto, for the purpose to which they are appropriated and for prohibiting all intrusion on such lands and all obstruction of the use thereof.

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OFFENCES.

1. No costermonger, hawker, pedlar, huckster, marine store or other dealer, or rag and bone and bottle gatherer, or book-maker or racing or betting tout, or vendor of newspapers or any kind of literature or vendor of refreshments, or photographer, or person engaged in any similar traffic or occupation to any of those specified or any tradesman or his agents or servants, unless in possession of a Pass, issued under the authority of the General Officer Commanding, Wessex Area, shall intrude or enter, or be upon the said War Department lands for the purpose of selling, buying, or trafficking or otherwise carrying on his or her or any like business or calling.
2. No person shall deposit or distribute or cause to be deposited or distributed upon the said War Department lands any hand-bills, literature or other printed matter of any description.
3. No person shall, without the authority of the General Officer Commanding, Wessex Area, cause to assemble or attempt to cause to assemble upon the said War Department lands any number of persons or address any such persons when assembled.
4. No person, without the authority of the General Officer Commanding, Wessex Area, shall affix any posters, bills or notices of any description in or on the boundaries or walls of the said War Department lands.
5. No person shall enter or be upon the said War Department lands for the purpose of behaving in an indecent or disorderly manner, or for the purpose of gaming, betting or wagering.
6. No person shall enter or be upon the said War Department lands for the purpose of carrying, or of applying for permission to carry, the kits of soldiers or other persons, or of obtaining any other kind of casual employment.

7. No person whatever shall continue on the said War Department lands after having been warned off by an Officer, or by any person acting under the authority of an Officer. Nor shall any vehicle, animal or thing be allowed to remain on the said lands after the owner, or the person for the time being in charge thereof, shall have been warned to remove the same by an Officer or by any person acting under the authority of an Officer.

8. No person, unless in possession of a pass, issued under the authority of the General Officer Commanding, Wessex Area, shall camp, whether in tents or caravans or otherwise, or bivouac, or sleep out upon the said War Department lands.

9. No person, without the authority of an Officer, shall deposit broken glass or other rubbish upon the said War Department lands.

10. No night walker or common prostitute shall locate herself in, or trespass on, or resort to the said War Department lands for the purpose of prostitution.

11. No person, without the authority of the Commanding Royal Engineer of the Area, shall cut grass or growing crops or cut and remove turf, or use the said War Department lands for the purpose of grazing any horse, cow, sheep, or other animal.

12. No person, without the authority of the Commanding Royal Engineer of the Area, shall cut or deface any growing trees or shrubs or remove any timber, trees, shrubs or wild flower roots from the said War Department lands, nor shall any person enter or be upon the said lands for the purpose of damaging trees or other property situated on the said lands.

13. No person shall enter or be upon the said War Department lands for the purpose of pursuing or killing game or other birds or animals, unless in possession of a Permit issued under the authority of the General Officer Commanding, Wessex Area.

14. No person, without the authority of an Officer, shall light a fire on the said War Department lands for any purpose whatever; nor shall any person, by throwing down lighted or live matches, or in any other way, do anything causing or tending to cause a fire to break out on the said lands.

15. No person shall ride a horse or bicycle or drive any motor-car or other vehicle upon any footpath by the side of any War Department road or land maintained by the War Department and situate on the said War Department lands.

16. No driver of a hackney carriage, taxi-cab or other vehicle shall enter or be upon the said War Department lands for the purpose of plying for hire, without a Pass issued under the authority of the General Officer Commanding, Wessex Area.

17. Subject to the restrictions contained in Bye-laws Nos. 15 and 16 the public may ride any horse or bicycle or drive any horse-drawn vehicle, motor-car, motor-cycle or other mechanically propelled vehicle, on any road maintained by the War Department and situate on the said War Department land, when such road is not being used for any military purpose but in such case :—

(i) the driver of any such motor-car, motor-cycle or other mechanically propelled vehicle, shall not drive at a speed exceeding thirty miles per hour.

(ii) The rider of any such horse or bicycle or the driver of any such horse-drawn vehicle, motor-car, motor-cycle or other mechanically propelled vehicle, shall, at the request of a military policeman in uniform or of a War Department Constable in uniform or if such military policeman or War Department Constable put up his hand as a signal for that purpose, stop and not proceed further until a signal to proceed is given.

(iii) The rider of any such bicycle or the driver of any such horse-drawn vehicle, motor-car, motor-cycle or other mechanically propelled vehicle shall not ride or drive over such roads without a light between the hours of one hour after sunset and one hour before sunrise during summer time; or between the hours of half-an-hour after sunset and half-an-hour before sunrise during winter time. The provisions of this subsection are in addition to and not in derogation of any existing statute, local or other Bye-laws or regulations, which may now or hereafter be in force.

18. No person shall remove from the said War Department lands any stores or articles which are the property of the Government unless duly authorised.

RIGHTS OF WAY.

19. Nothing in these Bye-laws shall affect any public right of way, but subject as aforesaid the expression "lands" or "War Department lands" shall include all roads on such lands.

WAR DEPARTMENT TENANTS.

20. Nothing in these Bye-laws shall affect the rights of the tenants of the War Department under their agreements with the War Department.

CONTRAVENTION OF BYE-LAWS.

21. Any person doing anything prohibited by or otherwise contravening any of the preceding Bye-laws numbered 1 to 18 shall be deemed to commit an offence against the Bye-law so contravened.

OFFICERS AUTHORISED.

22. The persons hereby authorised to remove or to take into custody without warrant any person committing an offence against any of the preceding Bye-laws numbered 1 to 18, or to remove any vehicle, animal or thing found on the said War Department lands in contravention of any of these Bye-laws are:—

- (1) The General Officer Commanding, Wessex Area.
- (2) The Officer in charge of any of the said War Department lands.
- (3) Any Officer, Warrant Officer, Non-Commissioned Officer or any Military Policeman or War Department Constable in uniform, for the time being under the Command of the said General Officer Commanding, Wessex Area, or of the said Officer in Charge.
- (4) Any person authorised in writing under the hand of the said General Officer Commanding, Wessex Area, or of the said Officer in charge; or
- (5) Any Constable.

DATE OF OPERATION OF THESE BYE-LAWS.

23. These Bye-laws shall come into force on the fifteenth day of November, One thousand nine hundred and thirty-five, and after which date the Bye-laws in respect of Portsdown Hill Military Lands, dated the tenth day of October, One thousand nine hundred and twenty-eight shall be revoked.

SCHEDULE.

LANDS AFFECTED.

The War Department lands together with any Buildings thereon, as shown on the plan referred to in Notice 2 hereof, to which the foregoing Bye-laws apply, are as follows :—

All those premises and lands, including the unenclosed as well as the enclosed Down lands, belonging to His Majesty's War Department, situated upon Portsdown Hill and lying between that private residence known as "The Towers," Bedhampton, on the East, and the village of Wallington on the West, and bounded on the North by a line clearly marked with a series of boundary stones, and on the South by a similar series of boundary stones, such stones being incised with the initials "W.D." and the broad arrow, together with an index number. The aforesaid premises and lands from Bedhampton to Wallington are intersected by the Portsdown "Crest" Road and lie North and South of same, the roadside wastes of which form part of the lands hereby scheduled.

The whole of the premises and lands referred to above are shown coloured pink on the plan referred to in Notice 2 hereof, and all those roads which are the private property of His Majesty's War Department and subject to the preceding Bye-laws are shown coloured red on the said plan.

The Buildings to which the foregoing Bye-laws apply also shown on the said plan are as follows :—

Downbarn Cottages	Fort Widley
Greenhill Cottages	Married Quarters (Fort Widley)
Cottage at Pinks Hill	Fair House
Fort Wallington	Portsdown Cottage
Fort Nelson	Cliff Dene Cottage
Married Quarters (Fort Nelson)	Fort Purbrook
Fort Southwick	Crookhorn Lane Cottages
Married Quarters (Fort Southwick)	

Dated this nineteenth day of October, One thousand nine hundred and thirty-five.

(Signed) HALIFAX.

His Majesty's Principal Secretary of State for the War Department.

NOTICES.

PENALTY FOR OFFENCES.

1. By Section 17 (2) of the Military Lands Act, 1892, it is provided that :—

If any person commits an offence against any Bye-law under this Act, he shall be liable, on conviction before a Court of Summary Jurisdiction, to a fine not exceeding FIVE POUNDS, and may be removed by any constable or officer authorised in manner provided by the Bye-law from the area to which the Bye-law applies, and taken into custody without warrant, and brought before a Court of Summary Jurisdiction to be dealt with according to law, and any vehicle, animal, or thing found in the area in contravention of any Bye-law, may be removed by any constable or such officer as aforesaid and on due proof of such contravention be declared by a Court of Summary Jurisdiction to be forfeited to His Majesty.

INSPECTION OF PLAN SHOWING LANDS AFFECTED.

2. The lands described in the Schedule hereto, together with all buildings thereon, to which these Bye-laws apply, are shown on a plan which may be inspected at the offices of the War Department Land Agent, R.E. Office, Milldam Barracks, Portsmouth.

WHERE BYE-LAWS CAN BE OBTAINED.

3. Copies of these Bye-laws can be obtained at the offices of the War Department Land Agent, R.E. Office, Milldam Barracks, Portsmouth, by any person who desires to obtain the same.