

Provided however, that such notice shall be unnecessary if the land under cultivation is more than one hundred feet away.

**10.** No person who is not a registered commoner shall be allowed to work in or cultivate any land of the commonage upon shares or at all. Employment on commonage.

**11.** A commoner shall have the right to enclose any land in his occupation. Enclosure.

**12.** Every commoner shall have free access to every natural watering place on the commonage. Watering places.

**13.** In the event of a commoner becoming ill or being absent from the settlement any member of his family or other registered commoner whom he directs shall be allowed to continue his cultivation. Illness or absence.

### **ROCK SOUND COMMONERS RULES**

*G N 266/1938  
5 cf 1987*

#### (SECTION 11)

*[Commencement 1st November, 1938]*

**1.** These Rules may be cited as the Rock Sound Commoners Rules. Short title.

**2.** When a commoner is registered under these Rules he shall pay to the proper officer the registration fee of ten cents at the time of such registration as a commoner. Fee  
*5 cf 1987, Sch*

**3.** When a commoner having felled land fails within one year to plant the same or having cultivated a piece of land for a period of years fails for three consecutive years thereafter to cultivate it such land shall be considered abandoned and thereupon any other commoner may take possession of and cultivate such land. Failure to cultivate land.

**4.** No commoner shall cultivate any land within twelve feet of another commoner's land, cultivated or not, without the consent of the commoner or commoners whose field or felled land is adjacent thereto. Proximity of cultivation.

**5.** No commoner shall burn any field within one hundred feet of another commoner's land, cultivated or not, without first giving proper notice to the commoner or Setting fire.

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commoners whose field or felled land is adjacent thereto of his intention to burn such field or fields. Damages resulting from a failure to comply with this rule shall be assessed by two disinterested commoners, one of whom shall be appointed by the party injured and the other by the party whose act caused the injury complained of and in case such arbitrators cannot agree they shall appoint an umpire to decide between them and the decision of the umpire shall be final.

Watering places.           **6.** Every commoner shall be entitled at all times to have free access to all natural watering places containing water and a fair use and distribution of such water supply for drinking and other purposes.

Committee.                 **7.** In case any dispute arises between commoners other than is mentioned in rule 5 in connection with the fields or felled land or any other matter relating to the use of such land a committee of commoners shall be appointed by the commissioner or some proper officer acting under his authority and in every case the decision of the majority of the committee shall be final.

Illness.                    **8.** Any commoner being disabled through illness or other sufficient cause may send his children or may be allowed to place some other commoner on a portion of the commonage with the right to claim the produce grown thereon by such effort but shall not have the right to allow any other person other than is registered to cultivate such lands for him or receive any of the produce grown thereon without being a party to the breach of this rule.

Registration.              **9.** At any time subsequent to a date which shall be three months after which these Rules shall have become law any person not registered as a commoner shall be deemed a trespasser nor can he take action in any court of The Bahamas in respect of any lands of which he may be deemed the owner by virtue of cultivation except he shall have caused his name as that of the occupier to be registered by the commissioner or some person acting under this authority.

Application.              **10.** These Rules shall apply to all the commoners in the settlement of Rock Sound.