

Act No. 32 of 1904**ORDINANCE LANDS***32 or 1904*

An Act for the purpose of securing a formal conveyance for the use of The Bahamas of certain lands vested in the Secretary of State for War.

[Commencement 9th June, 1904]

Preamble.

WHEREAS by the Act of Assembly 19 Victoria chapter 14 the various lands specified in the Schedule to this Act being originally Crown Lands granted or acquired by the Military authorities, were vested in Her late Majesty's Principal Secretary of State for the War Department and his successors in office (hereinafter called the Secretary of State for War):

AND WHEREAS on the withdrawal of the Imperial troops from The Bahamas the said lands were informally transferred by the Military authorities to His Excellency Sir Ambrose Shea the then Governor of the Government of The Bahamas, who received the same on behalf of the Government of The Bahamas on the terms that in the event of any lands being at any time subsequently required for the defence of The Bahamas, the value of the lands so transferred, as ascertained by a valuation made at the time (particulars of which are given in the said schedule), should be contributed towards the cost of providing such lands:

AND WHEREAS no formal conveyance of the said lands was made at the time or has since been executed:

24 of 1898.

AND WHEREAS by the Hotel and Steam Service Act the land numbered 1 in the schedule was vested in the Florida East Coast Hotel Company:

AND WHEREAS doubts have arisen as to the effect of the obligation arising under the transfer aforesaid:

WHEREAS the Secretary of State for War has significant his willingness to executive a formal conveyance of the residue of the said lands to the Governor of The Bahamas for the of The Bahamas subject to the conditions of the said transfer:

WHEREAS one parcel of the lands so to be conveyed is required for the purposes of the Board of Trade in The Bahamas.

1. This Act may be cited for all purposes as the Ordinance Lands Act. Short title.

2. (1) Upon the execution by the Secretary of State for War of any conveyance by which the lands specified in the Schedule to this Act other than the land numbered 1 in the said Schedule shall be conveyed to the Governor for the use of The Bahamas on the terms of transfer hereinbefore recited, it shall be lawful for the Governor on behalf of The Bahamas to attach to the said conveyance the Great Seal of The Bahamas as party to the said conveyance. Upon the execution by the Secretary of State for War of a Conveyance for certain lands the Governor shall attach the Great Seal of The Bahamas to the conveyance.

(2) The obligations undertaken by the Governor on behalf of The Bahamas in the said Conveyance shall be coextensive with those undertaken at the time of the said transfer, and the amount to be contributed by virtue of such obligations in the contingency therein provided for shall include the value of the land numbered 1 in the said Schedule, as well as the value of the lands actually conveyed.

3. (1) On the production to the Registrar of Records of any conveyance appearing by the terms thereof to be made and executed in accordance with this Act, the same shall be recorded by the Registrar of Records without any of the formalities prescribed by the Act of Assembly 25 Victoria chapter 15, and shall be deemed to be duly recorded under the said Act. Conveyance to be recorded by the Registrar of Records.

(2) The said conveyance shall be exempt from Stamp duty under the Stamp Act 1877.

4. Upon the execution of the said conveyance by the Secretary of State for War, and the sealing thereof by the Governor with the Great Seal of The Bahamas, the parcel of land numbered 8 in the Schedule to this Act and described therein as “Potter’s Cay, New Providence Harbour, Land at East End,” subject always to the immemorial right to careen vessels secured by the Act of Assembly 5 Victoria chapter 8, shall vest in the Lords of the Committee for the time being of the Privy Council appointed for the consideration of matters relating to trade and foreign plantations and their successors in office in the Parcel of land described as “Potter’s Cay, New Providence Harbour, Land at East End,” to vest in the Lords of the Committee of the Privy Council.

same manner and subject to the same incidents as if it had been vested in them as a corporation sole and the liability of The Bahamas under the said conveyance to contribute towards the cost of providing lands for the future defence of The Bahamas shall be diminished to the extent of the valuation of the said parcel of land as given in the Schedule to this Act.

Land shall not be alienated, leased, etc., without the consent of the Legislature.
Restricts erection of buildings.

5. The said part of Potter's Cay so vested shall not be alienated leased or otherwise disposed of without the consent of the Legislature of The Bahamas and no building or other structure shall be erected on the said Cay unless the plans thereof shall have been submitted to and approved by the Governor in Council.

SCHEDULE

Item.	Island.	Name of Property, Etc.	Estimated Area.			Value.
			A.	R	P.	£
1.	New Providence	Soldiers Barracks Out Buildings and Grounds.....	2	2	2½	2345
2.	„ „	Fort Charlotte and grounds.....	44	3	18	85
3.	„ „	Water Battery and grounds.....		1	1	1
4.	„ „	Fort Fincastle and grounds.....	2	3	31	77
5.	„ „	Fort Montague and grounds.....	6	1	12	100
6.	„ „	Winton Land	4	3	29	4
7.	„ „	Rifle Range near Baillou Hills	20	2	26	Nil
8.	Potter's Cay, (New Providence Harbour)	Land at East End	1	0	6½	5
9.	Harbour Island	Land North of Town	36	1	17	30
10.	„ „	Land South of Town	26	2	29	22
11.	Exuma	Land Man-of-War Cay	106	0	12	33
			252	2	24	£2702