

CHAPTER 299.

THREE CHAINS (TOBAGO).

Ordinance
No. 304

AN ACT RELATING TO LANDS IN TOBAGO COMMONLY CALLED
THE THREE CHAINS.

[26th May, 1865.]

Preamble.

WHEREAS when the lands of the Island of Tobago were originally granted the Commissioners appointed by His Majesty King George the Third for the sale and disposal of the same reserved around the coast of the Island a strip or belt of land of three chains breadth from high water mark for the erection of forts or batteries;

And whereas the said Commissioners stated on the map of the Island published in the year 1776 as follows, that is to say:—

“ The three chains round the coast represented by a
“ dotted line are considered by us as appropriated
“ to the use of the contiguous planter excepting
“ in cases where any particular spots may here-
“ after be found necessary for erecting forts or
“ batteries, in which case His Majesty may erect
“ such forts or batteries thereon without paying
“ any compensation for the same.”

And whereas acting upon this understanding the respective proprietors of lands contiguous to the said three chains have used and treated the said three chains as their property subject as aforesaid and have in many instances erected works and buildings thereon for the convenience of their plantations and have never been disturbed in their occupation;

And whereas doubts have lately been entertained as to the nature and quality of the estate in such proprietors in relation to the said three chains and in order to remove such doubts; Be it enacted as follows:—

1. This Act may be cited as the Three Chains Act.

2. After the publication of this Act the strip or belt of land round the coast commonly called the three chains are declared to be vested in the respective proprietors of lands adjoining the said three chains and their heirs and assigns for ever as and for a clear and indefeasible estate of inheritance and freehold subject as hereinafter mentioned, that is to say:—

1st. His Majesty, His Heirs and Successors may, when it shall seem fit so to do, erect any forts or batteries on any part of the said strip or belt of land without paying compensation therefor;

2nd. The Government may at any time erect any buildings of a public nature on any part of the said strip or belt of land without paying compensation therefor: Provided that such erections do not interfere unnecessarily with any buildings which might have been theretofore erected by the proprietor or with any cultivated land;

3rd. The respective proprietors of interior estates shall have the right of a shipping place and to the erection of a suitable and commodious store for the safe custody of the respective produce and stores on any part of the said three chains not already occupied;

4th. All persons who may have, for the space of seven years and upwards before the publication of this Act, erected any house or building on any portion of the said strip or belt of land, and been in the undisturbed possession thereof for the said space of time without paying of rent or otherwise attorning to anyone, shall remain in the undisturbed and peaceable use and enjoyment of their said buildings and of ten feet of land clear around the said building, where space will admit, as and for a clear and indefeasible estate of inheritance and freehold;

5th. The right of road to the public through the said strip or belt of land is hereby expressly reserved;

6th. Notwithstanding any law or custom to the contrary, it shall be lawful for the Governor at any time to take possession of any part of the land commonly called the three chains and to make roads on any part thereof:

Provided that no such road shall interfere with any buildings which may have been theretofore erected, or with any portion of the said three chains which may be cultivated unless such cultivation shall lie in the line of the proposed road.