

CHAPTER 132

FORCIBLE AND CLANDESTINE ENTRIES

1667-1

This Act came into operation on 19th March, 1667.

Amended by:

1956-57

Guide to symbols in historical notes:

- indicates an amendment made by an Act

/ indicates an amendment made by statutory instrument

CHAPTER 132

FORCIBLE AND CLANDESTINE ENTRIES 1667-1

Arrangement of Sections

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**BARBADOS**

FORCIBLE AND CLANDESTINE ENTRIES

1667-1

An Act to prevent all forcible and clandestine entries into any lands or tenements within this Island.

[Commencement: 19th March, 1667]

Short title

1. This Act may be cited as the Forcible and Clandestine Entries Act.

No forcible or clandestine entries or detainers to be made

2. No person shall make any forcible entries into, or forcible detainers of, any lands, houses or tenements within this Island or shall enter secretly into any man's lands, houses or tenements, for gaining of possession by setting up any roofs, huts, hovels, tents or thatched houses or by any such private or secret practices or other ways or means whatever, without due course, trial and recovery at law first had and obtained, under penalty of forfeiting two hundred and forty dollars.

Magistrate may order removal of entry and detainer

3. Where any person makes any such entry and detainer or, by any such secret means or ways as described in section 2, enters into or gains possession of any man's lands, houses or tenements, upon any pretence whatsoever contrary to this Act, without trial and recovery at law first had and obtained, to bring into question and trial the right and property thereof, the magistrate of the district is hereby required and authorised, upon complaint of the party grieved, to remove such entry and possession and shall cause to be pulled down and destroyed all such houses, roofs, huts and thatched houses, for that end so put and erected contrary to section 2, as if the same had never been.

High Court to determine penalty

4. The person entered, possessed or holding anything or found acting contrary to this Act shall be committed to prison there to remain until he has given recognisance, himself in two hundred and forty dollars and two securities in one hundred and twenty dollars each, for his appearance at the next sitting of the High Court sitting for the trial of criminal cases, to answer the same, and in the interim to keep the peace and the matter shall be fully examined by that court and the penalty there adjudged.

Warrant for entry into premises to restore possession

5.(1) For the purpose of removing any entry and possession described in section 2, the magistrate is hereby authorised and required to issue a warrant under his hand, directed to any one or more police officer or officers, commanding them within a period to be therein named to enter, by force if necessary into the premises and give possession of the same to the complainant.

(2) Entry upon any such warrant shall not be made on a Sunday, Good Friday or Christmas Day or at any time except between the hours of eight in the morning and five in the afternoon.

Saving

6. This Act shall not extend or be construed to reach or extend to any entry made upon breach of covenants or conditions or any arrears of rent or any such like case, where the right, title or property is not thereby enforced to and intended for a trial or brought into question.