

*Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1816.* Fredericton, NB: George K. Lugin, Printer to the King's Most Excellent Majesty, 1816.

56 George III – Chapter 9

**An Act to prevent the cutting or breaking down the Bank of any River, Sea-bank or Dyke, and for the preservation of the same. Passed the 7th of March, 1816.**

Whereas there are large tracts of Marsh Land within this Province dyked in, from which great advantages do arise, and as the dyking and draining those Lands are attended with a very great expence, which expence and advantages may be lost to the ruin of many industrious persons by wicked and evil minded Persons by cutting or destroying said Dykes or Sea-banks.

I. Be it therefore enacted by the President, Council and Assembly, That if any person or persons from and after the passing of this Act, shall unlawfully and maliciously break down or cut down any Sea-bank or Dyke, or any part or parts thereof, whereby any Lands shall or may be overflowed or damaged, or be made liable to be overflowed or damaged, every person so offending being thereof lawfully convicted, shall be adjudged guilty of Felony.

II. And be it further enacted, That if any person or persons shall at any time hereafter unlawfully and wilfully cut off, draw up or remove, and carry away any piles, pickets, brush or other materials which are or at any time hereafter may be driven into the ground, placed, fixed or used for the securing any Marsh Land, Sea-walls, Dykes, River-banks or interval Land, or shall cut down or otherwise destroy any Trees or Bushes, which may have been reserved, planted or set out for the preservation of the Interval-banks of any River or stream, every person so offending shall forfeit and pay a fine not less than ten pounds and not exceeding twenty pounds with costs, to be paid to the informer upon due conviction thereof, by the oath of one or more credible witness or witnesses, before any two of His Majesty's Justices of the Peace in the County where such offence shall be committed, to be levied by warrant of distress and sale of the offender's Goods and Chattels, rendering the overplus if any, to such offender, and for want of sufficient Goods and Chattels, the said Justices are hereby required to commit such offender to the common Gaol of the County wherein such offence shall be committed, there to remain for a term not less than one month, nor exceeding two months.

III. And be it further enacted, That this Act shall continue and be in force for four years, and from thence to the end of the next Session of the General Assembly.