

At the General ASSEMBLY of the Province of *Nova Scotia*, begun and holden at *Halifax*, on *Tuesday* the Twenty Eighth Day of *May*, 1765, in the Fifth Year of His Majesty's Reign, and there continued by several Prorogations, to *Thursday* the 23d Day of *October*, 1766, in the Sixth Year of His Majesty's Reign.

An A-C-T to prevent the Cutting or Breaking down the Bank of any River, Seabank, or Dykes.

*W*HEREAS there are large Tracts of Marsh Lands within this Province dyked in, great Part of which are, at this Time, under actual Improvement, from which great Advantages must arise, and as the dyking or 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 cutting or destroying said Dykes, or the Piles or Picketts, which are drove into the said Marshes, their Banks or Dykes; FOR REMEDY WHEREOF, Be it Enacted by the Lieutenant Governor, Council, and Assembly, That if any Person or Persons from and after the Publication of this Act, shall unlawfully and maliciously break down, or cut down the Bank or Banks of any River or any Seabank or Dykes, whereby any Lands shall be overflowed or damaged, every Person so offending, being thereof lawfully convicted, shall be adjudged guilty of Felony, and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

And be it further enacted, That if any Person or Persons shall, at any Time or Times hereafter, unlawfully cut off, draw up or remove and carry away, any Piles or other Materials, which are, or at any Time hereafter shall be, driven into the Ground and used for the securing any Marsh Lands, or Sea Walls, Banks, or Dykes; in order to prevent the Lands lying within the same from being overflowed and damaged, it shall and may be lawful to and for any Two or more of His Majesty's Justices of the Peace, residing near the Place where the said Offence or Offences shall be committed; and such Justices are hereby respectively authorized and required, upon Complaint or Information upon Oath of such Offence, to sum-

mon.