



Malicious Damage Act 1861

1861 CHAPTER 97

Injuries to Sea and River Banks, and to Works on Rivers, Canals, &c

30 Destroy any Sea Bank, or Wall on any Canal.

Whosoever shall unlawfully and maliciously break down or cut down or otherwise damage or destroy any Sea Bank or Sea Wall or the Bank, Dam, or Wall of or belonging to any River, Canal, Drain, Reservoir, Pool, or Marsh, whereby any Land or Building shall be or shall be in danger of being overflowed or damaged, or shall unlawfully and maliciously throw, break, or cut down, level, undermine, or otherwise destroy, any Quay, Wharf, Jetty, Lock, Sluice, Floodgate, Weir, Tunnel, Towing-path, Drain, Watercourse, or other Work belonging to any Port, Harbour, Dock, or Reservoir, or on or belonging to any navigable River or Canal, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

31 Removing the Piles of any Sea Bank, &c., or doing any Damage to obstruct the Navigation of a River or Canal.

Whosoever shall unlawfully and maliciously cut off, draw up, or remove any Piles, Chalk, or other Materials fixed in the Ground, and used for securing any Sea Bank or Sea Wall, or the Bank, Dam, or Wall of any River, Canal, Drain, Aqueduct, Marsh, Reservoir, Pool, Port, Harbour, Dock, Quay, Wharf, Jetty, or Lock, or shall unlawfully and maliciously open or draw up any Floodgate or Sluice, or do any other Injury or Mischief to any navigable River or Canal, with Intent and so as thereby to obstruct or prevent the carrying on, completing, or maintaining the Navigation thereof, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.