



# March Dykes Act 1669

## 1669 CHAPTER 38

### Act anent incloseing of Ground

#### Annotations:

#### Modifications etc. (not altering text)

- C1 Short title “The March Dykes Act 1669” given by [Statute Law Revision \(Scotland\) Act 1964 \(c. 80\)](#), [Sch. 2](#)
- C2 Certain words omitted under authority of [Statute Law Revision Act 1948 \(c. 62\)](#), [s. 3\(1\)\(d\)](#)
- C3 This act is listed in 12mo edition as [1669 c.17](#)

Wheras by the fourty one act of the first Session of his Maiesties first Parliament Entituled Act for planting and incloseing of ground It is provyded that whair inclosers fall to be vpon the borders of any mans inheritance The next adjacent heretor shall be at equall pains and charges in building ditching and planting that dike which divyds their inheritance And the Estates of Parliament Considering the inconveniency and difficulty the execution of that parte of the said act may meit with in lands marching together wher the marches are crooked and vnequall Or wher any parte of the bordering ground is vnfit or incapable of bearing a dyk or receaveing a ditch or hinders the compleiting of the inclosure in ane equal line For remeid whair of his Maiestie with advice and consent of the saids Estates Doth Statute and Ordain That whensoever any person intends to inclose by a dike or ditch vpon the march betuixt his lands and the lands belonging to other heretors contiguous thervnto It shall be leisum to him to require the next Shirreffs or bailliffs of Regalities Justices of Peace or other Judges ordinar To visite the marches alongst which the said dyke or ditch is to be drawne who are heirby authorized when the saids marches are vneven or otherways incapable of ditch or dike To adjudge such parts of the one or other heretors ground as occasion the inconveniency betuixt them from the one heretor in favours of the other So as may be least to the prejudice of either party And the dike or ditch to be made To be in all tyme thereafter the common march betuixt them And the parts so adjudged respective from the one to the other being estimat to the just availl and compensated pro tanto To decerne what remains vncompensated of the price to the party to whom the same is wanting And it is heirby Declared That the parts thus adjudged hinc inde Shall remain and abyd with the lands or tennendries to which they are respective adjudged as parts and pendicles therof in all time comeing