

AN ACT for the better Preventing of Excessive and Deceitful Gaming.

WHEREAS the laws now in force for preventing the mischiefs which may happen by gaming have not been found sufficient for that purpose: Therefore, for the further preventing of all excessive and deceitful gaming,

1. All notes, bills, bonds, judgments, mortgages, or other securities or conveyances whatsoever, given, granted, drawn or entered into, or executed by any person or persons whatsoever, where the whole or any part of the consideration of such conveyances or securities shall be for any money, or other valuable thing whatsoever, won by gaming or playing at cards, dice, tables, tennis, bowls, or other game or games whatsoever, or by betting on the sides or hands of such as do game at any of the games aforesaid, or for the reimbursing or repaying any money knowingly lent or advanced for such gaming or betting as aforesaid, or lent or advanced at the time and place of such play to any person or persons so gaming or betting as aforesaid, or that shall, during such play, so play or bet, shall be utterly void, frustrate, and of none effect, to all intents and purposes whatsoever; any Statute, law, or usage to the contrary thereof in any wise notwithstanding.

All notes, &c., mortgages, &c., where the consideration is for money won by gaming, or for repayment of money lent at such gaming, &c., shall be void.

2. . . . Any person or persons whatsoever, who shall at any time or sitting, by playing at cards, dice, tables, or other game or games whatsoever, or by betting on the sides or hands of such as do play at any of the games aforesaid, lose to any one or more person or persons so playing or betting in the whole the sum or value of ten pounds, and shall pay or deliver the same or any part thereof, the person or persons so losing and paying or delivering the same shall be at liberty, within three months then next, to sue for and recover the money or goods so lost, and paid or delivered, or any part thereof, from the respective winner and winners thereof, with costs of suit, by action of debt founded on this Act, to be

The loser of £10 at cards, &c., may sue for the money within three months.

¹ This Act is cited as c. 14 in Ruffhead's edition, from which all the above sections after the first have been printed. The said sections, being repealed in England by 8 and 9 Vict., c. 109, do not appear in the edition of the English Revised Statutes.

prosecuted in any of Her Majesty's Courts of Record, in which actions or suits no essoin, protection, wager of law, privilege of Parliament, or more than one imparlance shall be allowed; in which action it shall be sufficient for the plaintiff to allege that the defendant or defendants are indebted to the plaintiff, or received to the plaintiff's use, the moneys so lost and paid, or converted the goods won of the plaintiff to the defendant's use, whereby the plaintiff's action accrued to him, according to the form of this Statute, without setting forth the special matter;

And if the losers do not sue, &c., any other person may;

And in case the person or persons who shall lose such money or other thing as aforesaid shall not within the time aforesaid, really and *bond fide*, and without covin or collusion, sue and with effect prosecute for the money or other thing so by him or them lost, and paid or delivered as aforesaid, it shall and may be lawful to and for any person or persons, by any such action or suit as aforesaid, to sue for and recover the same, and treble the value thereof, with costs of suit, against such winner or winners as aforesaid; the one moiety thereof to the use of the person or persons that will sue for the same, and the other moiety to the use of the poor of the parish where the offence shall be committed.

And recover, with treble value; one moiety to the informer, the other to the poor.

3. And for the better discovery of the moneys or other thing so won, and to be sued for and recovered as aforesaid: . . .

The person sued shall answer upon oath to discover the money won.

All and every the person or persons, who by virtue of this present Act shall or may be liable to be sued for the same, shall be obliged and compellable to answer upon oath such bill or bills as shall be preferred against him or them for discovering the sum and sums of money or other thing so won at play as aforesaid.

The person who shall so discover and repay shall be indemnified from further punishment.

4. Provided always that, upon the discovery and repayment of the money or other thing so to be discovered and repaid as aforesaid, the person or persons who shall so discover and repay the same as aforesaid shall be acquitted, indemnified, and discharged from any further or other punishment, forfeiture, or penalty which he or they may have incurred by the playing for or winning such money or other thing so discovered and repaid as aforesaid; any former or other Statute, law, or usage, or anything in this present Act contained, to the contrary thereof in any wise notwithstanding.

Any person winning, by fraud, &c., above £10 at one sitting, and convicted thereof, on indictment, &c., shall for-

5. If any person or persons whatsoever, at any time or times, do or shall, by any fraud or shift, cousenage, circumvention, deceit, or unlawful device or ill-practice whatsoever, in playing at or with cards, dice, or any the games aforesaid, or in or by bearing a share or part in the stakes, wagers, or adventures, or in or by betting on the sides or hands of such as do or shall

play as aforesaid, win, obtain, or acquire to him or themselves, or to any other or others, any sum or sums of money or other valuable thing or things whatsoever, or shall at any one time or sitting win of any one or more person or persons whatsoever above the sum or value of ten pounds, then every person or persons so winning by such ill-practice as aforesaid, or winning at any one time or sitting above the said sum or value of ten pounds, and being convicted of any of the said offences, upon an indictment or information to be exhibited against him or them for that purpose, shall forfeit five times the value of the sum or sums of money or other thing so won as aforesaid ;

feif five times the value, be deemed infamous, and suffer as in cases of wilful perjury.

And, in case of such ill-practice as aforesaid, shall be deemed infamous, and suffer such corporal punishment as in cases of wilful perjury, and such penalty to be recovered by such person or persons as shall sue for the same by such action as aforesaid.

6. And whereas divers lewd and dissolute persons live at great expenses, having no visible estate, profession, or calling to maintain themselves, but support those expenses by gaming only :

Two Justices may cause persons who have no visible estate, &c., to be brought before them, and, unless they make it appear that they do not maintain themselves by gaming, shall find sureties for their good behaviour for twelve months, or be committed.

It shall and may be lawful for any two or more of Her Majesty's Justices of the Peace in any county, city, or liberty whatsoever, to cause to come or to be brought before them every such person or persons within their respective limits whom they shall have just cause to suspect to have no visible estate, profession, or calling to maintain themselves by, but do for the most part support themselves by gaming; and, if such person or persons shall not make it appear to such Justices that the principal part of his or their expenses is not maintained by gaming, then such Justices shall require of him or them sufficient securities for his or their good behaviour for the space of twelve months ; and, in default of his or their finding such securities, to commit him or them to the common gaol, there to remain until he or they shall find such securities as aforesaid.

7. If such person or persons so finding sureties as aforesaid shall, during the time for which he or they shall be so bound to the good behaviour, at any one time or sitting play or bet for any sum or sums of money or other thing, exceeding in the whole the sum or value of twenty shillings, then such playing shall be deemed or taken to be a breach of his or their behaviour, and a forfeiture of the recognizance given for the same.

Persons so finding sureties, and playing for twenty shillings during the time, shall forfeit their recognizance.

8. And for the preventing of such quarrels as shall and may happen upon the account of gaming, in case any person or persons whatsoever shall assault and beat or shall challenge or provoke to fight any other person or persons whatsoever, upon account of any money won by gaming, playing, or betting at any

Person assaulting, &c., on account of money won at play, to forfeit all his goods, and be im-

9 *Ann., c. 19.*
prisoned for
two years.

of the games aforesaid, such person or persons assaulting and beating or challenging or provoking to fight such other person or persons upon the account aforesaid shall, being thereof convicted upon an indictment or information to be exhibited against him or them for that purpose, forfeit to Her Majesty, her heirs and successors, all his goods, chattels, and personal estate whatsoever, and shall also suffer imprisonment, without bail or mainprize, in the common gaol of the county where such conviction shall be had, during the term of two years.

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