

AN ACT for the more effectual Preventing of Excessive and
Deceitful Gaming.

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£200 penalty
on any offence
against this
Act;

1. If any person or persons shall . . . erect, set up, continue, or keep any office or place under the denomination of a sale or sales of houses, land, advowsons, presentations to livings, plate, jewels, ships, goods, or other things by way of lottery, or by lots, tickets, numbers or figures, cards or dice; or shall make, print, advertise, or publish, or cause to be made, printed, advertised, or published, proposals or schemes for advancing small sums of money by several persons, amounting in the whole to large sums, to be divided among them by chances of the prizes in some public lottery or lotteries established or allowed by Act of Parliament, or shall deliver out, or cause or procure to be delivered out, tickets to the persons advancing such sums, to entitle them to a share of the money so advanced, according to such proposals or schemes; or shall expose to sale any houses, lands, advowsons, presentations to livings, plate, jewels, ships, or other goods, by any game, method, or device whatsoever, depending upon or to be determined by any lot or drawing, whether it be out of a box or wheel, or by cards or dice, or by any machine, engine, or device of chance of any kind whatsoever;

Such person or persons, and every or either of them, shall, upon being convicted thereof before any one Justice of the Peace for any county, riding, or division, or before the Mayor, or other Justice or Justices of the Peace for any city or town corporate, upon the oath or oaths of one or more credible witness or witnesses (which said oaths the said Justices of the Peace and Mayor are hereby authorized, empowered, and required to administer), or upon the view of such Justice or Justices, or the Mayor, Justice, or Justices for any city or town corporate, or on

the confession of the party or parties accused, shall forfeit and lose the sum of two hundred pounds, to be levied by distress and sale of the offender's goods, by warrant under the hands and seals of one or more Justice or Justices of the Peace of such county, riding, division, city, or town where the offence shall be committed ;

the same how
to be levied
and applied.

Which said forfeitures, when recovered, after deducting the reasonable charges of such prosecution, shall go and be applied, one-third thereof to the informer, and the remaining two-thirds to the use of the poor of the parish where such offence shall be committed.

2. The said game of the ace of hearts, pharaoh, basset, and hazard are, and are hereby declared to be, games or lotteries by cards or dice within the intent and meaning of the said in part recited Acts ; and all and every person or persons who shall set up, maintain, or keep the said games of the ace of hearts, pharaoh, basset, and hazard, shall be subject and liable to all and every the penalties and forfeitures in and by this Act inflicted upon any person or persons who shall erect, set up, continue, or keep any of the said games or lotteries in this present Act mentioned ; and shall be prosecuted and convicted, and the penalties and forfeitures shall be sued for and recovered, in like manner as the said penalties and forfeitures are by this Act directed to be sued for and recovered.

Games speci-
fied to be
within the
intent of the
Act.

3. All and every person and persons who shall be adventurers in any of the said games, lottery or lotteries, sale or sales, or shall play, set at, stake, or punt at, either of the said games of the ace of hearts, pharaoh, basset, and hazard, and shall be thereof convicted in such manner and form as in and by this Act is prescribed, every such person or persons shall forfeit and lose the sum of fifty pounds, to be sued for and recovered as aforesaid.

£50 penalty
on the ad-
venturers.

4. All and every such sale or sales of houses, lands, advowsons, presentations to livings, plate, jewels, ships, goods or other things, by any game, lottery or lotteries, machine, engine, or other device whatsoever, depending upon or to be determined by chance or lot, shall and are hereby declared to be void to all intents and purposes whatsoever :

Sales by lot-
teries void ;

And all such houses, lands, advowsons, presentations to livings, plate, jewels, ships, goods or other things, set up and exposed to sale in manner and form aforesaid, shall be forfeited to such person or persons who shall sue for the same, by action, bill, plaint, or information, in any of His Majesty's Courts of Record, or at the assizes for any county where the offence shall be committed ; in which action, bill, plaint, or information, no

and the lands,
&c., forfeited.

essoins, protection, wager of law, or more than one imparlance shall be allowed.

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Offenders not able to pay the penalties to be imprisoned.

8. If any person or persons who shall be convicted of erecting, setting up, maintaining, or keeping any of the said lotteries, or the said games of the ace of hearts, pharaoh, basset, or hazard, or therein or in either of them shall adventure, and shall not have sufficient goods and chattels whereon to levy the penalties inflicted by this Act, or shall not immediately pay the said penalties, or give security for the same; it shall and may be lawful for the said Justice or Justices, before whom such person shall be convicted as aforesaid, to commit such person or persons to the common gaol of the county, riding, division, city, or place where such offence shall be committed, there to continue and remain for any time not exceeding six months.

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This Act not to affect the right to any lands, &c., held by lot.

11. Nothing herein contained shall extend, or be any ways construed, deemed, or taken to extend, or in any sort to affect or prejudice any estate or interest in, out of, or to any manors, honors, royalties, lands, tenements, advowsons, presentations, rents, services, and hereditaments whatsoever, which shall or may at any time or times hereafter be according to the laws now in being legally allotted to or held by or by means of any allotment or partition by lots; but all persons who now are, or that shall hereafter become, really and truly seized as part-owners, joint-tenants, and tenants in common of any manors, honors, royalties, lands, tenements, advowsons, presentations, rents, services, and hereditaments, shall, and he, she, and they, and his, her, and their heirs and assigns is and are hereby made and continued capable to accept and take such estates and interests, and parts therein, in such and the like manner, and to such and the like uses, as he, she, or they might, would, or could have done by, or by virtue or in consequence of, any lot, scroll, chance, or allotment whatsoever, had this present Act never been made, anything herein contained to the contrary thereof notwithstanding.

Limitation of actions.

12. If any suit or action shall be commenced or prosecuted against any person or persons for anything done in pursuance of this Act, every such suit or action shall be commenced within three calendar months next after the fact was committed, and not afterwards, and shall be laid or brought in the county, city, or place where the cause of action shall arise, and not elsewhere; and the defendant and defendants therein shall and may plead the general issue, and give this Act and the special matter in evidence at the trial to be had thereupon, and that the same was

General issue.

done in pursuance of or by the authority of this Act; and if the plaintiff or plaintiffs shall become nonsuited, or discontinue his, her, or their action or actions, suit or suits, or if upon demurrer judgment shall be given against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same as any defendant or defendants hath or have for costs in other cases by law.

12 *Geo. II.*,
c. 28.

Treble costs.