

[Continued by 1 Geo. 1. stat. 2. cap. 2. till the first of August 1715, and made perpetual by 1 Geo. 1. stat. 2. cap. 12. sect. 5.]

c. 11. s. 40. 6 Geo. 1. c. 21. s. 25. 6 Geo. 2. c. 37. s. 6. (which is made perpetual by 31 Geo. 2. c. 42.) 7 Geo. 2. c. 19.

Further Provisions concerning Hops, 6 Geo. 1.

## C A P. XIII.

An Act for the taking, examining, and stating the publick Accounts of the Kingdom.

WHEREAS many Aids and Provisions have been raised and assigned for the necessary Defence of your Majesty and these Kingdoms, in this great and important War, and for the Support of the Government; to the End therefore, that both your Majesty and this whole Kingdom may be satisfied, and truly informed that the same have been applied to the Uses and Purposes for which they were given and granted; May it please your most Excellent Majesty, that it may be enacted, &c. E X P.

## C A P. XIV.

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, be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of May one thousand seven hundred and eleven, all Notes, Bills, Bonds, Judgments, Mortgages or other Securities or Conveyances whatsoever, given, granted, drawn or entred 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 bett, 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; and that where such Mortgages, Securities or other Conveyances, shall be of Lands, Tenements or Hereditaments, or shall be such as incumber or affect the same, such Mortgages, Securities or other Conveyances, shall enure and be to and for the sole Use and Benefit of, and shall devolve upon such Person or Persons as should or might have, or be intituled to such Lands, Tenements or Hereditaments in case the said Grantor or Grantors thereof, or the Person or Persons so incumbering the same, had been naturally dead, and as if such Mortgages, Securities or other Conveyances, had been made to such Person or Persons so to be intituled after the Decease of the Person or Persons so incumbering the same; and that all Grants or Conveyances to be made for the preventing of such Lands, Tenements or Hereditaments, from coming to or devolving upon such Person or Persons hereby intended to enjoy the same as aforesaid, shall be deemed fraudulent and void, and of none Effect, to all Intents and Purposes whatsoever.

33 H. 8. c. 9.  
2 & 3 P. & M.  
c. 9.

16 Car. 2. c. 7.  
After 1 May  
1711. all Notes,  
&c. Mortgages,  
&c. where  
the Consideration is for  
Money won by  
gaming,  
or for Repay-  
ment of Money  
lent at such ga-  
ming, &c.  
shall be void.

And where such  
Mortgages, &c.  
shall incumber  
any Lands, &c.  
they shall de-  
volve to such  
Person as should  
have been inti-  
tled to them,  
in case such  
Grantor had  
been dead, &c.

And all Convey-  
ances to hinder such Lands from devolving, &c. shall be void.

The Loser of 10l.  
at Cards, &c.  
may sue for the  
Money within  
three Months.

And if the Losers  
do not sue, &c.  
any other Person  
may;

and recover with  
treble Value;  
one Moiety to  
the Informer,  
the other to the  
Poor.

The Person sued  
shall answer upon  
Oath to discover  
the Money won,

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II. And be it further enacted by the Authority aforesaid, That from and after the said first Day of May one thousand seven hundred and eleven, 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 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 Imparance shall be allowed; in which Action it shall be sufficient for the Plaintiff to alledge, that the Defendant or Defendants are indebted to the Plaintiff, or received to the Plaintiff's Use, the Monies 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 in case the Person or Persons who shall lose such Money or other Thing as aforesaid, shall not within the Time aforesaid, really and bona 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.

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III. And for the better Discovery of the Monies or other Thing so won, and to be sued for and recovered as aforesaid, it is hereby further enacted by the Authority aforesaid, That 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

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.

IV. Provided always, and be it nevertheless enacted by the Authority aforesaid, 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 any Thing in this present Act contained to the contrary thereof in any wise notwithstanding.

Any Person winning by Fraud, &c. above 10 l. at one Sitting, and convicted thereof on Indictment, &c. shall forfeit 5 Times the Value, be deemed infamous, and suffer as in Cases of wilful Perjury.

V. And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever, at any Time or Times, after the said first Day of *May* one thousand seven hundred and eleven, do or shall, by any Fraud or Shift, Couzenage, 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; that 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; 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.

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 12 Months, or be committed.

VI. And whereas divers lewd and dissolute Persons, live at great Expences, having no visible Estate, Profession or Calling to maintain themselves, but support those Expences by Gaming only; Be it therefore further enacted by the Authority aforesaid, That 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 Expences is not maintained by Gaming, that 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.

Persons so finding Sureties and playing for 20 s. during the Time, shall forfeit their Recognizance.

VII. And be it enacted by the Authority aforesaid, That 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 bett for any Sum or Sums of Money or other Thing, exceeding in the whole the Sum or Value of twenty Shillings, that 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.

Affaulting, &c. on Account of Money won at Play, to forfeit all his Goods, and be imprisoned two Years.

VIII. And for the preventing of such Quarrels as shall and may happen upon the Account of Gaming; Be it further enacted by the Authority aforesaid, That 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 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.

This Act shall not extend to prevent Gaming in any of the Queen's Palaces during her Residence there, &c.

IX. Provided always, That nothing in this Act contained shall extend to prevent or hinder any Person or Persons from gaming or playing at any of the Games aforesaid, within any of her Majesty's Palaces of *St. James* or *Whitehall*, during such Time as her Majesty, her Heirs or Successors, shall be actually resident at either of the said two Palaces, or in any other Royal Palaces, where her Majesty, her Heirs or Successors, shall be actually resident, during the Time of such actual Residence, so as such Playing be not in any House, Lodging, or other Part of any of the said Palaces, the Freehold or Inheritance whereof is or shall be out of the Crown, or is or shall be in Lease to any Person or Persons, during such Time as such Freehold and Inheritance shall be out of the Crown, or such Lease shall continue, and so as such Playing be for ready Money only.

Further Provisions concerning Gaming, 2 Geo. 2. c. 28. sect. 9.

30 Geo. 2. c. 19. 10 Geo. 2. c. 28. 12 Geo. 2. c. 28. 18 Geo. 2. c. 34. 25 Geo. 2. c. 36. 30 Geo. 2. c. 24.