ANNO QUADRAGESIMO SECUNDO

GEORGII III. REGIS.

****

C A P. CXIX.

An Act to ſuppreſs certain Games and Lotteries not authorized by Law. [28th *June* 1802.]

WHEREAS evil diſpoſed Perſons do frequently reſort to Publick Houſes and other Places, to ſet up certain miſchievous Games or Lotteries, called *Little Goes*, and to induce Servants, Children, and unwary Perſons, to play at the ſaid Games; and thereby moſt fraudulently obtain great Sums of Money from Servants, Children, and unwary Perſons, to the great Impoveriſhment and utter Ruin of many Families; for Remedy whereof, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Tempo·al, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all ſuch Games or Lotteries, called *Little Goes*, ſhall, from and after the paſſing of this Act, be deemed and are hereby declared common and publick Nuiſances, and againſt Law.

All Games or Lotteries called *Little Goes* declared publick Nuiſances.

II. And be it further enacted, That, from and after the Firſt Day of *July* One thouſand eight hundred and two, no Perſon or Perſons whatſoever ſhall publickly or privately keep any Office or Place to exerciſe, keep open, ſhow, or expoſe to be played, drawn, or thrown at or in, either by Dice, Lots, Cards, Balls, or by Numbers or Figures, or by any other Way, Contrivance, or Device whatſoever, any Game or

Perſons keeping any Office or Place for any Game or Lottery not authorized by Law, *etc.* ſhall forfeit 500 *l.* and be deemed Rogues and

Vagabonds within the Meaning of 17 Geo. 2. c. 5.

Lottery called a *Little Goe*, or any other Lottery whatſoever not authorized by Parliament, or ſhall knowingly ſuffer to be exerciſed, kept open, ſhown, or expoſed to be played, drawn, or thrown at or in, either by Dice, Lots, Cards, Balls, or by Numbers or Figures, or by any other Way, Contrivance, or Device whatſoever, any ſuch Game or Lottery, in his or her Houſe, Room, or Place, upon Pain of forfeiting, for every ſuch Offence, the Sum of Five hundred Pounds, to be recovered in the Court of Exchequer, at the Suit of His Majeſty's Attorney General, and to be to the Uſe of His Majeſty, His Heirs and Succeſſors; and every Perſon ſo offending ſhall be deemed a Rogue and Vagabond within the true Intent and Meaning of an Act, paſſed in the Seventeenth Year of the Reign of His late Majeſty King *George* the Second, intituled, *An Act to amend and make more effectual the Laws relating to Rogues, Vagabonds, and other idle and diſorderly Perſons, and to Houſes of Correction*, and ſhall be puniſhable as ſuch Rogue and Vagabond accordingly.

Perſons ſo offending, againſt whom no ſuch Information ſhall have been made, ſhall be puniſhed as Rogues and Vagabonds according to 17 Geo. 2. c. 5. and 27 Geo. 3. c. 1.

III. Provided always, and be it further enacted, That every Perſon offending againſt this Act in Manner herein-before mentioned, againſt whom no Information ſhall have been made as aforeſaid, ſhall be deemed a Rogue and Vagabond, within the true Intent and Meaning of an Act, paſſed in the Seventeenth Year of the Reign of His late Majeſty King *George* the Second, intituled, *An Act to amend and make more effectual the Laws relating to Rogues, Vagabonds, and other idle and diſorderly Perſons, and to Houſes of Correction*; and alſo of another Act paſſed in the Twenty-ſeventh Year of the Reign of His preſent Majeſty, intituled, *An Act to render more effectual the Laws now in being for ſuppreſſing unlawful Lotteries*; and ſhall be puniſhable as ſuch Rogue and Vagabond, according to the ſaid Acts and this Act.

Juſtices, on Information, may authorize Perſons to break open the Doors of Places where ſuch Offences ſhall have been committed, and apprehend Offenders and others aſſiſting them, and carry them before a Juſtice.

IV. And be it further enacted, That upon Complaint or Information made upon Oath before any Juſtice or Juſtices of the Peace, of any Offence committed againſt this Act in any Houſe or Place within the Juriſdiction of any ſuch Juſtice or Juſtices, whereby any of the Offenders may be liable to Puniſhment as Rogues and Vagabonds, it ſhall and may be lawful to and for the ſaid Juſtice or Juſtices before whom ſuch Oath ſhall be taken, if he or they ſhall judge it reaſonable, by Special Warrant under his or their reſpective Hands and Seals, to authorize and empower any Perſon or Perſons, by Day or by Night (but if in the Night-time, then in the Preſence of a Conſtable or other lawful Officer of the Peace, who are hereby required to be aiding or aſſiſting therein), to break open the Doors or any Part of ſuch Houſe or Place where ſuch Offence ſhall have been committed, and to enter into ſuch Houſe or Place, and to ſeize and apprehend all ſuch Offenders and all other Perſons who ſhall be diſcovered in ſuch Houſe or Place, and who ſhall have knowingly aided or aſſiſted, or been anyways concerned with any ſuch Offender or Offenders in committing ſuch Offence, and to convey them before any Juſtice or Juſtices of the Peace of the County, Riding, Diviſion, City, Liberty, or Place wherein ſuch Perſons ſhall be ſo apprehended, to be dealt with according to Law as aforeſaid; and all Perſons who ſhall be diſcovered in ſuch Houſe or Place knowingly aiding, aſſiſting, or anyways concerned with ſuch Offender or Offenders in the carrying on any Tranſactions reſpecting the ſaid Little Goes or Lotteries, or either of them,

them, ſhall be deemed Rogues and Vagabonds, and puniſhable in like Manner as is directed by the ſaid recited Act of the Seventeenth Year of the Reign of His late Majeſty King *George* the Second; and it ſhall and may be lawful for the Officer or Officers having the Execution of ſuch Warrant, and all other Perſons acting in his or their Aid or Aſſiſtance, to ſtop, arreſt, and detain all and every the Perſon and Perſons ſo diſcovered in ſuch Houſe or Place, and to convey the ſaid Perſon and Perſons before ſuch Juſtice or Juſtices of the Peace as aforeſaid; and if any Perſon or Perſons ſhall forcibly obſtruct, oppoſe, moleſt, or hinder, any ſuch Officer or Officers, or others acting in his or their Aid or Aſſiſtance, in the due Execution of their Duty, or in the due entering into ſuch Houſe, or Place, or in the ſeizing, detaining, or conveying before ſuch Juſtice or Juſtices any ſuch Offenders, or other Perſons as aforeſaid, every ſuch Perſon ſo obſtructing, oppoſing, moleſting, or hindering as aforeſaid, ſhall be deemed an Offender againſt Law and the publick Peace, and the Court before whom any ſuch Offender ſhall be tried and convicted ſhall and may order ſuch Offender to be fined, impriſoned, and publickly whipped, as in their Diſcretion ſhall be thought fit; and all Perſons, although not diſcovered in ſuch Houſe or Place as aforeſaid, who ſhall employ or cauſe to be employed any Perſon or Perſons in carrying on any of the Tranſactions aforeſaid, or in aiding or aſſiſting any ſuch Perſon or Perſons, ſhall be deemed Rogues and Vagabonds, and ſhall be puniſhable in like Manner as is directed by an Act, paſſed in the Twenty-ſeventh Year of the Reign of His preſent Majeſty.

Penalty for obſtructing Perſons in the Execution of their Duty.

Perſons employing others, though not diſcovered in the Premiſes, to be deemed Rogues and Vagabonds.

V. And be it further enacted, That, from and after the paſſing of this Act, no Perſon or Perſons whatever ſhall, on or under any Pretence, Device, Form, Denomination, or Deſcription whatſoever, promiſe or agree to pay any Sum or Sums, or to deliver any Goods, or to do or forbear doing any Thing for the Benefit of any Perſon or Perſons, whether with or without Conſideration, on any Event or Contingency relative or applicable to the drawing of any Ticket or Tickets, Lot or Lots, Numbers or Figures, in any ſuch Game or Lottery, or to publiſh any Propoſal for any of the Purpoſes aforeſaid; and if any Perſon or Perſons ſhall offend in any of the Matters aforeſaid, he, ſhe, or they ſhall, for every Offence, forfeit and pay the Sum of One hundred Pounds.

Perſons agreeing to pay any Sum, or to deliver any Goods, *etc.* on any Event relative to ſuch Game or Lottery, or publiſhing any Propoſal, ſhall forfeit 100*l.*

VI. And be it further enacted, That it ſhall and may be lawful for any Perſon whatever to apprehend, on the Spot, any Perſon or Perſons ſo offending, and to convey or cauſe to be conveyed before any Magiſtrate or Juſtice of the Peace reſiding near the Place where ſuch Offence ſhall be committed, the Perſon or Perſons ſo apprehended to be proceeded againſt under this Act; and when any Perſon or Perſons ſhall be apprehended or brought before any Magiſtrate or Juſtice aforeſaid for any ſuch Offence, it ſhall be lawful for ſuch Magiſtrate or Juſtice to proceed to examine into the Circumſtances of the Caſe, and upon due Proof upon Oath or ſolemn Affirmation of any ſuch Offence committed againſt this Act, to give Judgement or Sentence accordingly; and where the Party accuſed ſhall be convicted of ſuch Offence, and ſuch Penalty ſhall not be immediately paid, to commit ſuch Offender to Priſon for any Space of Time not exceeding Six Calendar Months, nor leſs than One Calendar Month, without Bail or Mainprize, and without Appeal, or until ſuch Penalty ſhall be ſatisfied; and every ſuch Penalty, when paid upon Conviction, ſhall go and be applied,

Offenders may be apprehended on the Spot by any Perſon and carried before a Juſtice, who ſhall, on the Penalty not being paid, commit the Offender.

Application of the Penalty.

plied, One Third thereof to His Majeſty, One Third thereof to the Uſe of the Informer or Informers, and the other Third thereof to the Perſon or Perſons apprehending or ſecuring ſuch Offender or Offenders.

The Proviſions of 27 Geo. 3. c. 1. ſhall extend to this Act, and to c. 54.

VII. And be it further enacted, That, from and after the paſſing of this Act, all Pains, Forfeitures, Fines, and Penalties, and all Proviſions, Powers, Authorities, Rules, Regulations, Reſtrictions, Exemptions and Exceptions, Clauſes, Matters, and Things, contained in an Act paſſed in the Twenty-ſeventh Year of the Reign of His preſent Majeſty, intituled, *An Act to render more effectual the Laws now in being for ſuppreſſing unlawful Lotteries*, ſhall extend, and be deemed conſtrued, and taken to extend, and ſhall apply and be in full Force, and put in Execution in all Caſes and for all Purpoſes as to all the Proviſions of this Act, and of another Act paſſed in this Seſſion of Parliament, intituled, *An Act for granting to His Majeſty a certain Sum of Money to be raiſed by Lotteries*, in all Caſes where no ſpecial or different Proviſion is made by this or the ſaid laſt recited Act, in as full and ample a Manner, to all Intents and Purpoſes, as if the ſaid Act, and all Pains, Forfeitures, Fines and Penalties, Proviſions, Powers, Authorities, Rules, Regulations, Reſtrictions, Exemptions, Exceptions, Clauſes, Matters, and Things contained and enacted therein, were particularly and expreſsly repeated and re-enacted in the Body of this preſent Act, and had been repeated and enacted in the Body of the ſaid recited Act of this Seſſion of Parliament.

VIII. And be it further enacted, That if any Sheriff's Officer, or other Perſon or Perſons, ſhall be ſued, moleſted, or proſecuted, for any Thing done by virtue or in purſuance of this Act, ſuch Sheriff's Officer, or other Perſon or Perſons, ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence in his, her, or their Defence or Defences; and if afterwards a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall diſcontinue his, her, or their Action or Proſecution, or be non-ſuited, or Judgement ſhall be given againſt him, her, or them, upon Demurrer or otherwiſe, then ſuch Defendant or Defendants ſhall have Treble Coſts awarded to him, her, or them, againſt any ſuch Plaintiff or Plaintiffs.

General Iſſue.

Treble Coſts.

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