CHAP. 87.

An Act to provide for the prevention of Gaming in public places in Scotland. [9th August 1869.]

A.D. 1869.

WHEREAS it is expedient that provision should be made for punishing idle and disorderly persons guilty of gaming, or of having in their possession instruments of gaming, in public places in Scotland:

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, as follows:

Short title.

1. This Act may be cited for all purposes as the "Prevention of Gaming (Scotland) Act, 1869."

Interpretation of terms.

2. In this Act the following words shall have the meanings hereby assigned to them:

"Magistrate" shall mean and include the sheriff and sheriff substitute, or any one or more magistrate or magistrates having jurisdiction respectively in the county or burgh where any offence against the provisions of this Act is committed, or where any person charged with such offence is found or brought to trial:

"Procurator fiscal" shall mean and include the procurator fiscal of the court having such jurisdiction.

Penalty on gambling, &c. in public places.

3. All chain-droppers, thimblers, loaded-dice players, card-sharpers, and other persons of similar description, who shall be found in any public place or in any grounds open to the public, or in any public conveyance, in possession of implements or articles for the practice of chain-dropping, thimbling, loaded-dice playing, card-sharping, or other unlawful gaming, or who shall in any such place, grounds, or conveyances, exhibit such implements or articles in order to induce or entice any person to engage in any such game, or

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who, by any such fraudulent act or device, shall cozen and cheat or attempt to cozen and cheat any person in any public place or in any grounds open to the public, or in any public conveyance, may be convicted before a magistrate on the testimony of one or more credible witness or witnesses, and on conviction shall be imprisoned, with or without hard labour, for any term not exceeding sixty days, and shall also at the same time be sentenced to repay any money or restore any property which they may have obtained by means of any such offence, and failing such payment or restoration may, under the same procedure, be committed to or detained in prison, with or without hard labour, for any further term not exceeding sixty days.

By whom prosecution to be raised.

4. Every prosecution for any offence against the provisions of this Act shall be raised and proceeded in under the provisions of the "Summary Procedure Act, 1864," and at the instance of the procurator fiscal of the court having jurisdiction under this Act.

LONDON: Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1869.