the proceedings in which the judgment was pronounced or the order made, and any appeal from any such judgment or order shall be decided as if this Act had not passed.

Short title and construction.

2. This Act may be cited as the Licensing Act, 1906, and may be cited and construed as one with the Licensing Acts 1828 to 1904.

CHAPTER 43.

An Act for the Suppression of Betting in Streets and other Public Places. [21st December 1906.

BE it enacted by the King'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:

Betting in a street, &c.

1.—(1) Any person frequenting or loitering in streets or public places, on behalf either of himself or of any other person, for the purpose of bookmaking, or betting, or wagering, or agreeing to bet or wager, or paying or receiving or settling bets, shall

(a) in the case of a first offence be liable, on conviction under the Summary Jurisdiction Acts, to a fine not exceeding ten pounds;

(b) in the case of a second offence be liable, on conviction under the Summary Jurisdiction Acts, to a fine not exceeding twenty pounds; and

(c) in the case of a third or subsequent offence, or in any case where it is proved that the person whilst committing the offence had any betting transaction with a person under the age of sixteen years, be liable on conviction on indictment to a fine not exceeding fifty pounds or to imprisonment, with or without hard labour, for a term not exceeding six months without the option of a fine, or on conviction under the Summary Jurisdiction Acts to a fine not exceeding thirty pounds or to imprisonment, with or without hard labour, for a term not exceeding three months without the option of a fine;

and shall in any case be liable to forfeit all books, cards, papers and other articles relating to betting which may be found in his possession.

(2) Any constable may take into custody without warrant any person found committing an offence under this Act, and may seize and detain any article liable to be forfeited under this Act.

(3) Any person who appears to the court to be under the age of sixteen years shall for the purpose of this section be deemed

to be under that age unless the contrary be proved, or unless the person charged shall satisfy the court that he had reasonable ground for believing otherwise.

(4) For the purpose of this section the word "street" shall include any highway and any public bridge, road, lane, footway, square, court, alley, or passage, whether a thoroughfare or not; and the words "public place" shall include any public park, garden, or seabeach, and any unenclosed ground to which the public for the time being have unrestricted access, and shall also include every enclosed place (not being a public park or garden) to which the public have a restricted right of access, whether on payment or otherwise, if at or near every public entrance there is conspicuously exhibited by the owners or persons having the control of the place a notice prohibiting betting therein.

Act not to apply to racecourse.

2. Nothing contained in this Act shall apply to any ground used for the purpose of a racecourse for racing with horses or adjacent thereto on the days on which races take place.

Application to Scotland.

3. In Scotland, "indictment" has the same meaning as in the Criminal Procedure (Scotland) Act, 1887, and "passage" includes common close or common stair or passage leading thereto; and, in the event of an offender failing to make payment of a fine imposed under section 1 (1), (*a*) or (*b*), of this Act, he shall be liable to imprisonment in accordance with the provisions of the Summary Jurisdiction Acts; an offence prosecuted summarily under this Act may be tried before the Sheriff or before any magistrate of any royal, parliamentary, or police burgh officiating under the provisions of any local or general Police Act.

Application to Ireland.

4. In Ireland, where in pursuance of this Act an order is made by a court of summary jurisdiction for a term of imprisonment not exceeding one month, without the option of a fine, the party against whom the order is made shall be entitled to appeal in like manner as if the term of imprisonment exceeded one month.

Short title.

5. This Act may be cited as the Street Betting Act, 1906.

CHAPTER 44.

An Act to amend the Law with respect to the consents required for the use of ground for burials and the construction of Cemeteries. [21st December 1906.]

BE it enacted by the King'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: