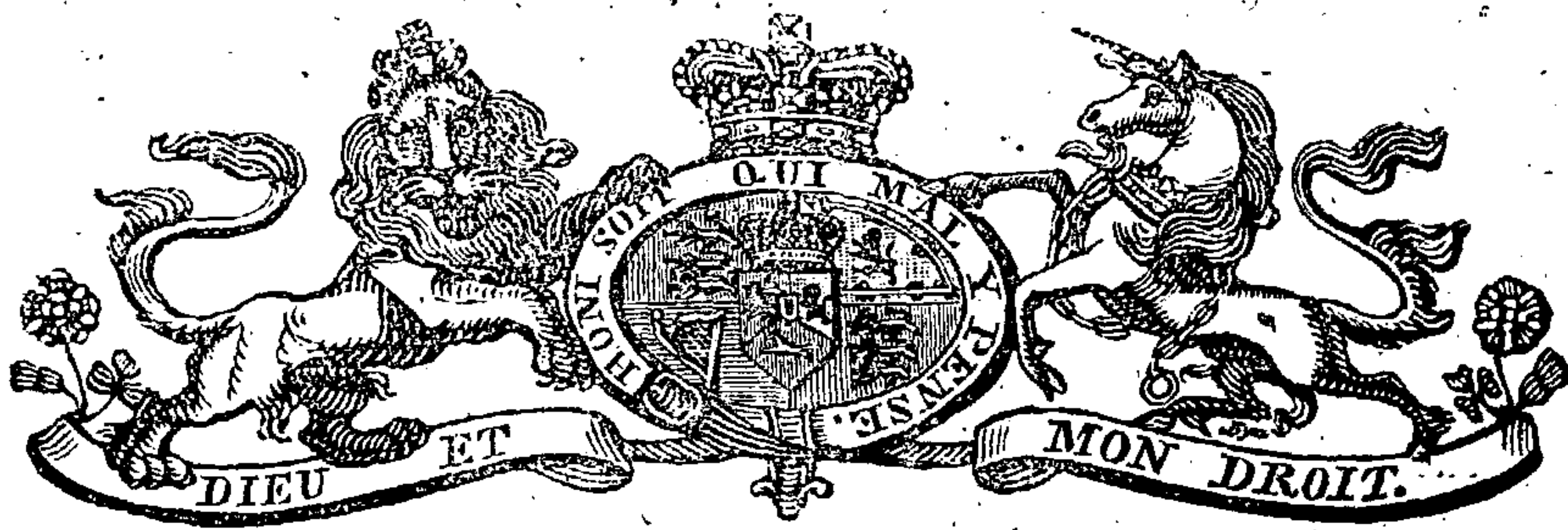




ANNO PRIMO

GEORGII IV. REGIS.

Cap. lxxxix.

An Act to extend and amend an Act passed in the Fifty-seventh Year of His late Majesty, to enable *Peltro William Tomkins*, Engraver, to dispose of his Collection of Paintings, Drawings, and Engravings, together with several Copies of certain Books therein mentioned, and the Lease of the Premises called The *British Gallery of Pictures*, by way of Lottery. [24th July 1820.]

WHEREAS by an Act made in the Fifty-seventh Year of the Reign of His late Majesty King George the Third, intituled *An Act to enable Peltro William Tomkins of New Bond Street, in the City of Westminster, Engraver to the Queen's most Excellent Majesty, to dispose of his Collections of Paintings, Drawings, and Engravings, together with several Copies of certain Books therein mentioned, and the Lease of the Premises called The British Gallery of Pictures, by way of Lottery*; it was amongst other things enacted, that it should be lawful for the said *Peltro William Tomkins*, his Executors, Administrators, and Assigns, to sell and dispose of the said Collection of Paintings, Drawings, and Engravings, and the several Pieces composing the same, together with the Copies of *Thomson's Seasons*, and the *British Gallery of Pictures*, in Two Series therein mentioned, and also the Lease of the Premises Number Fifty-four, in *New Bond Street*, by way of Chance, without being liable to any Penalty or Forfeiture imposed by any Act of Parliament,

57 G. 3. c. 61.

[Local.]

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Parliament,

Parliament, subject only to the Terms, Provisoos, and Restrictions therein-after mentioned; and whereby it was further enacted, that the Money to be raised thereby should not exceed the Sum of One hundred and four thousand two hundred and sixty-five Pounds, and that the Number of Tickets should not exceed in the whole Thirty-three thousand one hundred, to be divided into Two Series of Numbers, each Series to consist of Sixteen thousand five hundred and fifty Numbers, being from Number One to Sixteen thousand five hundred and fifty inclusive, and that One of the afore-mentioned Series should be printed in Red, from Copper-plate, and that the other Series should be printed in Black, and that each of the said respective Tickets should bear the Price of Three Guineas, and be signed by One or more of the Trustees to the said Lottery, as therein-after named; and also that the said Collection should be divided and allotted according to the Schedule to the said Act annexed, and that the Sixteen thousand five hundred and fifty Prizes therein mentioned should be determined by the Drawing of any State Lottery that should consist of Sixteen thousand five hundred and fifty Tickets or upwards, and that should be drawn in *London* between the First Day of *August* then next and the First Day of *December* One thousand eight hundred and twenty, in pursuance of any Act or Acts of Parliament that might be thereafter passed for that Purpose, if any such should be passed; and if more than One such Lottery should be appointed by any such Act or Acts to be drawn within such Period, then by such of the said Lotteries as should be chosen by the said *Pelro William Tomkins*, his Executors or Administrators, and notified in the *London Gazette* Forty-two Days before the Drawing of such Lottery; and that the Prizes in the Lottery authorized by the said Act should be decided by the Drawing of such State Lottery in Manner following; (that is to say), the First Number which should be drawn in such State Lottery, let it be Blank or Prize, corresponding with a Number in the Lottery authorized by the said Act, such Number in the said Lottery should be the greatest Prize, or Prize standing first in the said Schedule, the Second Number the Second Prize, and so on in Rotation, according to the said Schedule, until the Fate of all the Numbers in the said Lottery should have been decided by their corresponding Numbers in the State Lottery; and it was thereby provided that one Series of the said Numbers should be all Prizes, and the other should be all Blanks, to be determined as therein mentioned; (that is to say), if the last-drawn Ticket in such State Lottery, whether the same Lottery should be drawn at One or Two Drawings, should be an even Number, then the Red Tickets only should be entitled to the Prizes, and the Black Tickets should be all Blanks; but in case such last-drawn Ticket as aforesaid should be an uneven or odd Number, then the Black Tickets should all be entitled to the Prizes, and the Red Tickets should be all Blanks, and the Fate of such Tickets should be announced in the *London Gazette*, immediately after the Drawing of such Lottery; and it was thereby required that the said Articles and Things, when fully completed and finished, should be delivered to the Trustees named in the said Act; and it was thereby provided, that in case such Articles and Things should not be completed and finished, and delivered to the said Trustees Fifty Days prior to the Drawing of the Lottery, whereby the

Prizes thereof were to be finally disposed of, the said Trustees were to repay the Sum of Three Guineas for each of the Tickets issued in pursuance of the said Act, to the several Holders thereof, as therein mentioned: And whereas a considerable Part of the Property belonging to the said *British Gallery*, consisting of the Letter Press and Titles that were to form Part of the Prizes of the said Lottery, and also the Types and Utensils that had been provided for printing the same, have been wholly consumed by Fire, lately in the House and Premises of *Messieurs Bensley and Son*, where the same were printing, whereby the said *Peltro William Tomkins* will be prevented from fully completing the Prizes for the said Lottery before the said First Day of *December* One thousand eight hundred and twenty: And whereas it has become expedient to extend the Time for the Drawing of the said Lottery, and to make new Provision for drawing the same: May it therefore please Your Majesty that it may be enacted; and 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, That so much of the said recited Act as enacts that the said Sixteen thousand five hundred and fifty Prizes therein mentioned, should be determined by the Drawing of any State Lottery that should consist of Sixteen thousand five hundred and fifty Tickets or upwards, and that should be drawn in *London* between the First Day of *August* then next, and the First Day of *December* One thousand eight hundred and twenty, in pursuance of any Act or Acts of Parliament that might thereafter be passed for that Purpose, if any such should be passed, and as enacts, that in case such Articles and Things mentioned in the said recited Act should not be completed and finished and delivered to the said Trustees Fifty Days previous to the Drawing of such Lottery, the said Trustees should repay the Sum of Three Guineas for each of the Tickets issued in pursuance of the said Act, to the Holders thereof, shall be and the same is hereby repealed.

So much of Act as directs that the Prizes shall be determined by the Drawing of a State Lottery, repealed.

II. And be it further enacted, That the said Sixteen thousand five hundred and fifty Prizes, mentioned in the said recited Act, shall be determined by the Drawing of any State Lottery that shall consist of Sixteen thousand five hundred and fifty Tickets or upwards, and that shall be drawn in *London*, between the First Day of *December* One thousand eight hundred and twenty, and the Thirty-first Day of *March* One thousand eight hundred and twenty-one, in pursuance of any Act or Acts of Parliament that may hereafter be passed for that Purpose, if any such shall be passed; and if more than One such Lottery shall be appointed by any such Act or Acts to be drawn within such Period, then by such of the said Lotteries as shall be chosen by the said *Peltro William Tomkins*, his Executors, Administrators, or Assigns, and notified in the *London Gazette* Forty-two Days before the Drawing of such Lottery, and that the Prizes in the said Lottery, authorized by the said recited Act, shall be decided by the Drawing of such State Lottery, in the Manner mentioned in the said recited Act, and the Fate of such Tickets shall be announced in the *London Gazette* immediately after the Drawing of such Lottery.

Extending Time for drawing the Lottery to the 31st Day of March 1821.

III. Pro.

If before
no State
Lottery shall
contain
16,550
Tickets,
Mr. Tomkins
may draw by
a separate
Lottery.

III. Provided always, and be it further enacted, That if before the said Thirty-first Day of *March* One thousand eight hundred and twenty-one, no State Lottery, the Numbers of which shall consist in the whole of Sixteen thousand five hundred and fifty Tickets or upwards, to be drawn at any one or more Drawings, shall be appointed to be drawn, then and in such Case it shall and may be lawful to and for the said *Peltro William Tomkins*, his Executors, Administrators, or Assigns, and he and they is and are hereby authorized, empowered, and required, at any Time between the said Thirty-first Day of *March* One thousand eight hundred and twenty-one, and the First Day of *August* One thousand eight hundred and twenty-one, to determine the said Sixteen thousand five hundred and fifty Prizes by a separate Lottery, and for that Purpose Sixteen thousand five hundred and fifty Numbers shall be cut into a Wheel in like Manner as is done and under the same Regulations as are used in State Lotteries, or as near thereto as the Case will permit, and the same Numbers shall be drawn thereout at such Place and on such Day or Days, between the said Thirty-first Day of *March* One thousand eight hundred and twenty-one, and the said First Day of *August* One thousand eight hundred and twenty-one, and at such Time or Times, and under and subject to such Regulations as the Lords Commissioners of His Majesty's Treasury, or any Two or more of them shall approve and direct, so that such separate Lottery may be drawn and conducted in such and the like Manner as the State Lotteries of this Kingdom are usually drawn and conducted, or as near thereto as the Case will permit; and the said Sixteen thousand five hundred and fifty Numbers shall respectively determine the Prizes in the Order in which the same shall be drawn, as the same are divided and allotted in the Schedule to the said recited Act annexed; and the Fate of such Tickets shall be announced in the *London Gazette* immediately after the Drawing of such Lottery, by a Notice from or by Two of the Commissioners, who shall have attended the Service of Drawing of the said Numbers; provided always, that in case the said Prizes and Engravings are to be determined as is herein mentioned by a separate Lottery, Notice thereof shall be given by the said *Peltro William Tomkins*, his Executors, Administrators, or Assigns, in the *London Gazette*, Forty Days at least previous to the Drawing of such Lottery; provided also, that One Series of the said Numbers in the said separate Lottery shall be all Prizes, and the other shall be all Blanks, to be determined in Manner following; (that is to say), if the last-drawn Ticket in such separate Lottery, whether the same Lottery shall be drawn at one or more Drawings, shall be an even Number, then the Red Tickets only shall be entitled to the Prizes, and the Black Tickets shall be all Blanks; but in case such last-drawn Ticket as aforesaid shall be an uneven or odd Number, then the Black Tickets shall all be entitled to the Prizes, and the Red Tickets shall be all Blanks, and the Fate of such Tickets shall be announced in the *London Gazette* immediately after the Drawing of such Lottery in Manner and Form aforesaid.

For appoint-
ing Commis-
sioners.

IV. Provided also, and be it further enacted, That it shall be lawful for the said *Peltro William Tomkins*, his Executors, Administrators, or Assigns, and he and they is and are hereby authorized and

and empowered to appoint a sufficient Number of proper Persons to be Commissioners, not exceeding Six, nor under Four, and so many Clerks and Officers as shall be necessary to perform the Service, and for the Lords Commissioners of His Majesty's Treasury or any Two or more of them, and they are hereby authorized and empowered to appoint one proper Person to be a Commissioner to act with the other Commissioners in the Execution of this Act, which said Commissioners shall not be Persons interested in the Disposal of the said Lottery, and the Prizes therein, and such Commissioners shall superintend the Drawing of such Lottery, and all other Matters and Things relating to the same, as may be necessary for the Drawing of the said Lottery; and shall be paid by the said *Peltro William Tomkins*, or his Executors, Administrators, and Assigns.

V. And be it further enacted, That if any Dispute shall arise about the Drawing of any Prize, or to whom any Prize, after it shall be drawn, shall of right belong, that the said Commissioners, or any Four of them appointed by virtue of this Act, shall settle and adjust the same, and that such Settlement shall be final and conclusive.

Commissioners to settle any Differences which may arise.

VI. And be it further enacted, That all and every the Ticket and Tickets authorized to be sold by the said recited Act, which have been sold and disposed of by the said *Peltro William Tomkins*, his Executors, Administrators, and Assigns, shall be deemed and taken to be Part of the said Thirty-three thousand one hundred Tickets in the said Act mentioned; and it shall and may be lawful to and for the said *Peltro William Tomkins*, his Executors, Administrators, and Assigns, to sell and dispose of such of the Tickets authorized to be sold by that Act as yet remain unsold to any Person or Persons whomsoever, under the Directions and Provisions in the said Act mentioned and contained.

Tickets sold to be deemed Part of the 33,100 Tickets.

VII. And be it further enacted, That all the Powers, Provisions, Authorities, Penalties, Forfeitures, Clauses, Matters, and Things, contained in any Act in force at the Time of passing of this Act, for the Prevention of Insurance and other illegal Practices, and Punishment of Persons offending therein, shall extend and be construed to extend to the Lottery allowed to be drawn under this Act, as fully and effectually, to all Intents and Purposes, as if the same were severally and separately re-enacted, and made Part of this Act; and that the said *Peltro William Tomkins* shall, within One Month after the passing of this Act, enter into a Bond to His Majesty, His Heirs and Successors, in the penal Sum of One hundred and fifty Pounds, and that the Condition of such Bond shall be, that if the said *Peltro William Tomkins*, his Heirs, Executors, and Administrators, shall duly pay, or cause to be paid, the Expences, Costs, and Charges of such Prosecutions as may be hereafter commenced and prosecuted by *Le Grew Hesse* Esquire, or any other Person in his stead, as Lottery Secretary, for Offences of Insurance, and all other Offences of the like Nature described in the Annual Lottery Acts, but which Insurances shall be proved upon Oath, and Convictions had thereon for insuring upon Tickets or Numbers drawn by

Extending Acts against Insurances to the Lottery to be drawn under the Act.

virtue of this and the said herein recited Act, and relate thereto only, then such Bond to be void, or otherwise to remain in force: Provided always, that the said Bond shall be given up to be cancelled, and shall be deemed invalid to all Intents and Purposes, if the said Lottery herein mentioned shall be drawn by a State Lottery, it being the Intent and Meaning of this Enactment that the said Bond shall only have Effect if the said Lottery shall be drawn separately and by itself.

Former Act
not altered
to be in
force.

VIII. And be it further enacted, That the said recited Act, and all and every the Clauses, Powers, Provisoes, Matters, and Things therein contained (save and except such Parts thereof as are hereby varied, altered, or repealed) shall be as good, valid, and effectual as if the same had been repeated and re-enacted in the Body of this present Act.

Public Act.

IX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act; and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1820.