



Gaming Act 1845

1845 CHAPTER 109

An Act to amend the Law concerning Games and Wagers.

[8th August 1845]

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 so much of an Act passed in the Thirty-third Year of the Reign of King Henry the Eighth, intituled The Bill for maintaining Artillery, and the debarring of unlawful Games, whereby any Game of mere Skill, such as Bowling, Coyting, Cloyshcayls, Half Bowl, Tennis, or the like, is declared an unlawful Game, or which enacts any Penalty for playing at any such Game of Skill as aforesaid, or which enacts any Penalty for lacking Bows or Arrows, or for not making and continuing Butts, or which regulates the making, selling, or using of Bows and Arrows, and also so much of the said Act as requires the Mayors, Sheriffs, Bailiffs, Constables, and other head Officers within every City, Borough, and Town within this Realm, to make search weekly, or at the farthest Once a Month, in all Places where Houses, Alleys, Plays, or Places of Dicing, Carding, or Gaming shall be suspected to be had, kept, and maintained, shall be repealed, and also so much of the said Act as makes it lawful for every Master to license his or their Servants, and for every Nobleman and other having Manors, Lands, Tenements, or other yearly Profits for Term of Life, in his own Right or in his Wife's Right, to the yearly Value of an Hundred Pounds or above, to command, appoint, or license, by his or their Discretion, his or their Servants or Family of his or their House or Houses to play at Cards, Dice, or Tables, or any unlawful Game, as therein more fully set forth, shall be repealed ; and that no such Commandment, Appointment, or Licence shall avail any Person to exempt him from the Danger or Penalty of playing at any unlawful Game or in any common Gaming House.

II What shall be sufficient Evidence that a House is a common Gaming House.

And whereas Doubts have arisen whether certain Houses, alleged or reputed to be opened for the Use of the Subscribers only, or not open to all Persons desirous of using the same, are to be deemed common Gaming Houses; be it declared and enacted, That, in default of other Evidence proving any House or Place to be a common Gaming House, it shall be sufficient, in support of the Allegation in any Indictment or Information that any House or Place is a common Gaming House, to prove that such House or Place is kept or used for playing therein at any unlawful Game, and

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that a Bank is kept there by One or more of the Players exclusively of the others, or that the Chances of any Game played therein are not alike favourable to all the Players, including among the Players the Banker or other Person by whom the Game is managed, or against whom the other Players stake, play, or bet; and every such House or Place shall be deemed a common Gaming House such as is contrary to Law and forbidden to be kept by the said Act of King Henry the Eighth, and by all other Acts containing any Provision against unlawful Games or Gaming Houses.

III Power of Justices may be exercised under Warrant.

And be it enacted, That in every Case (except within the Metropolitan Police District) in which the Justices of Peace in every Shire, and Mayors, Sheriffs, Bailiffs, and other head Officers within every City, Town, and Borough, within this Realm, now have by Law Authority to enter into any House, Room, or Place where unlawful Games shall be suspected to be holden, it shall be lawful for any Justice of the Peace, upon Complaint made before him on Oath that there is Reason to suspect any House, Room, or Place to be kept or used as a common Gaming House, to give Authority, by special Warrant under his Hand, when in his Discretion he shall think fit, to any Constable, to enter, with such Assistance as may be found necessary, into such House, Room, or Place, in like Manner as might have been done by such Justices, Mayors, Sheriffs, Bailiffs, or other head Officers, and, if necessary, to use Force for making such Entry, whether by breaking open Doors or otherwise, and to arrest, search, and bring before a Justice of Peace all such Persons found therein as might have been arrested therein by such Justice of Peace had he been personally present; and all such Persons shall be dealt with according to Law, as if they had been arrested in such House, Room, or Place by the Justice before whom they shall be so brought; and any such Warrant may be in the Form given in the First Schedule annexed to this Act.

IV Penalties on Gaming House Keepers, &c.

And be it enacted, That the Owner or Keeper of any common Gaming House, and every Person having the Care or Management thereof, and also every Banker, Croupier, and other Person who shall act in any Manner in conducting the Business of any common Gaming House, shall, on Conviction thereof, by his own Confession, or by the Oath of One or more credible Witnesses, before any Two Justices of the Peace, beside any Penalty or Punishment to which he may be liable under the Provisions of the said Act of King Henry the Eighth, be liable to forfeit and pay such Penalty, not more than One hundred Pounds, as shall be adjudged by the Justices before whom he shall be convicted, or, in the Discretion of the Justices before whom he shall be convicted, may be committed to the House of Correction, with-or without hard Labour, for any Time not more than Six Calendar Months ; and on Nonpayment of any Penalty so adjudged, and of the reasonable Costs and Charges attending the Conviction, the same shall be levied by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of One of the convicting Justices : Provided always, that nothing herein contained shall prevent any Proceeding by Indictment against the Owner or Keeper or other Person having the Care or Management of a common Gaming House ; but no Person who shall have been summarily convicted of any such Offence shall be liable to be proceeded against by Indictment for the same Offence.

V Proof of Gaming for Money, &c. not necessary in support of Informations for Gaming.

And be it enacted. That it shall not be necessary, in support of any Information for Gaming in, or suffering any Games or Gaming in, or for keeping or using, or being concerned in the Management or Conduct of a common Gaming House, to prove that any Person found playing at any Game was playing for any Money, Wager, or Stake.

VI Commissioners of Police may authorize Superintendent and Constables to enter Gaming Houses and seize all Instruments of Gaming and take into Custody all Persons found therein.

And be it enacted, That if any Superintendent belonging to the Metropolitan Police Force shall report in Writing to the Commissioners of Police of the Metropolis that there are good Grounds for believing, and that he does believe, that any House Room, or Place within the Metropolitan Police District is kept or used as a common Gaming House, it shall be lawful for either of the said Commissioners, by Order in Writing, to authorize the Superintendent to enter any such House, Room, or Place, with such Constables as shall be directed by the Commissioner to accompany him, and, if necessary, to use Force for the Purpose of effecting such Entry, whether by breaking open Doors or otherwise, and to take into Custody all Persons who shall be found therein, and to seize all Tables and Instruments of Gaming found in such House or Premises, and also to seize air Monies and Securities for Money found therein.

VII Police Superintendent may search for Instruments of Gaming.

And be it enacted, That it shall be lawful for the Police Superintendent making such Entry as aforesaid in obedience to any such Order of One of the Commissioners of Police of the Metropolis, with the Assistance of any Constable or Constables accompanying him, to search all Parts of the House, Room, or Place which he shall have so entered where he shall suspect that Tables or Instruments of Gaming are concealed, and all Persons whom he shall find therein, and to seize all Tables and Instruments of Gaming which he shall so find.

VIII What shall be deemed Evidence of Gaming.

And be it enacted, That "where any Cards, Dice, Balls, Counters, Tables, or other Instruments of Gaming used in playing any unlawful Game shall be found in any House, Room, or Place suspected to be used as a common Gaming House, and entered under a Warrant or Order issued under the Provisions of this Act, or about the Person of any of those who shall be found therein, it shall be Evidence, until the contrary be made to appear, that such House, Room, or Place is used as a common Gaming House, and that the Persons found in the Room or Place where such Tables or Instruments of Gaming shall have been found were playing therein, although no Play was actually going on in the Presence of the Superintendent or Constable entering the same, under a Warrant or Order issued under the Provisions of this Act, or in the Presence or those Persons by whom he shall be accompanied as aforesaid; and it shall be lawful for the Police Magistrate or Justices before whom any Person shall be taken by virtue of the Warrant or Order to direct all such Tables and Instruments of Gaming to be forthwith destroyed.

IX Indemnity of Witnesses.

And for the more effectual- Prosecution of the Keepers of common Gaming Houses, be it enacted, That every Person who shall have been concerned in any unlawful Gaming, and who shall be examined as a Witness by or before any Police Magistrate or Justice of the Peace, or on the Trial of any Indictment or Information against the Owner or Keeper or other Person having the Care or Management of any common Gaming House, touching such unlawful Gaming, and who upon such Examination shall make true and faithful Discovery to the best of his or her Knowledge of all things as to which he or she shall be so examined, and shall thereupon receive from the Magistrate or Justice of the Peace or Judge of the Court by or before whom he or she shall be so examined a Certificate in Writing to that Effect, shall be freed from all Criminal Prosecutions, and from all Forfeitures, Punishments, and Disabilities, to which he or she may have become liable for any thing done before that Time in respect of such unlawful Gaming.

X Justices may grant Billiard Licences at Licensing Sessions.

And be it enacted, That the Justices in every Division, District, and Place in England for which a Special Session of the Justices of the Peace (called the General Annual Licensing Meeting) is holden annually for granting Licences to Persons keeping or being about to keep Inns, Alehouses, and Victualling Houses to sell exciseable Liquors by Retail, to be drunk or consumed on the Premises therein specified, shall have Authority at such General Annual Licensing Meeting, or at any Adjournment thereof, to grant Billiard Licences to such Persons as the said Justices shall in their Discretion deem fit and proper to keep public Billiard Tables and Bagatelle Boards, or Instruments used in any Game of the like Kind, and at the Special Sessions holden for transferring Licences to keep Inns shall have Authority to transfer such Billiard Licences to such other Persons as they in their Discretion shall deem fit and proper to continue to hold the same, and who in each Case shall be required to give the like Notice of their Intention to apply for such Billiard Licence, and entitled to receive the like Notice of the Licensing Days as is required in the Case of Persons intending to apply for a Licence or the Transfer of a Licence to sell exciseable Liquors by Retail to be drunk or consumed on the Premises, or as near thereto as the Case will allow; and every such Billiard Licence shall be in the Form given in the Third Schedule annexed to this Act, and shall continue in force in the Counties of Middlesex and Surrey from the Fifth Day of April, and elsewhere from the Tenth Day of October, after the granting thereof, for One whole Year thence respectively next ensuing, and no longer; and the Clerk of the Justices shall be entitled to demand and receive from every Person licensed under this Act, for the Petty Constable or other Peace Officer, for serving Notices and other Services required of him, the Sum of One Shilling, and for the Clerk of the Justices, for the Licence, the Sum of Five Shillings; and every Clerk who shall demand or receive from any Person for such Fees more than the said Sums, being together Six Shillings, shall for every such Offence, on Conviction before One Justice, forfeit and pay the Sum of Five Pounds.

XI Places kept for public Billiard Tables to be licensed.

And be it enacted, That after the Fifth Day of April in the Year One thousand eight hundred and forty-six, in the Counties of Middlesex and Surrey, and elsewhere after the Tenth Day of October next after the passing of this Act, every House, Room, or Place kept for public Billiard Playing, or where a public Billiard Table or Bagatelle Board, or Instrument used in any Game of the like Kind, is kept, at which Persons are

admitted to play, except in Houses or Premises specified in any Licence granted under an Act passed in the Ninth Year of the Reign of King George the Fourth, intituled An Act to regulate the granting of Licences to Keepers of Inns, Alehouses, and Victualling Houses in England, herein-after called a Victualler's Licence, shall be licensed under this Act; and after the said Fifth Day of April in Middlesex and Surrey, and elsewhere after the said Tenth Day of October, every Person keeping any such public Billiard Table or Bagatelle Board, or Instrument used in any Game of the like Kind for public Use, without being duly licensed so to do, and not holding a Victualler's Licence for the House or Premises where such Billiard Table, Bagatelle Board, or other Instrument as aforesaid is kept or used, and also every Person licensed under this Act who shall not during the Continuance of such Billiard Licence put and keep up the Words "Licensed for Billiards," legibly printed in some conspicuous Place near the Door and on the Outside of the House specified in the Licence, shall be liable to be proceeded against as the Keeper of a common Gaming House, and, beside any Penalty or Punishment to which he may be liable if convicted of keeping a common Gaming House, shall, on Conviction of keeping such unlicensed Billiard Table, Bagatelle Board, or other Instrument as aforesaid, by his own Confession, or by the Oath of One or more credible Witnesses before any Police Magistrate or any Two Justices of the Peace, be liable to pay such Penalty, not more than Ten Pounds for every Day on which such Billiard Table, Bagatelle Board, or Instrument as aforesaid shall be used, as shall be adjudged by the Magistrate or Justices before whom he shall be convicted, or, in the Discretion of the Magistrate or Justices, may be committed to the House of Correction with or without hard Labour, for any Time not more than One Calendar Month; and on Nonpayment of any Penalty so adjudged, and of the reasonable Costs and Charges of the Conviction, the same shall be levied by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of the Magistrate or One of the convicting Justices; but no Person who shall have been summarily convicted of any such Offence shall be liable to be further proceeded against by Indictment for the same Offence.

XII Penalties for Offences against Tenor of Licences.

And be it enacted, That every Person licensed under this Act who shall be convicted before a Police Magistrate or Two Justices acting in and for the Division or Place in which shall be situated the House kept or theretofore kept by such Person of any Offence against the Tenor of the Licence to him granted, shall be liable to the same Penalties and Punishments in the Case of a First, Second, or Third Offence respectively to which Persons licensed under an Act passed in the Ninth Year of the Reign of King George the Fourth, intituled An Act to regulate the granting of Licences to Keepers of Inns, Alehouses, and Victualling Houses in England, are respectively liable on Conviction of a First, Second, or Third Offence, against the Tenor of the Licence granted to them under the last-recited Act, or as near thereunto as the Nature of the Case will-allow ; and all the Provisions of the last-recited Act with respect to Convictions and Penalties for Offences against the last-recited Act, and the Proceedings for enforcing the same, and to the Expences of Prosecution and Penalties on Witnesses for not attending, and the Recovery and Application of Penalties, and the Proceedings on Appeals against Convictions, and the Award of Costs on Appeals, and in Actions against Justices, Constables, or other Persons for any thing done in execution of the last recited Act, shall be deemed to apply, so far as they are applicable, to Convictions for Offences against the Tenor of the Licences granted under this Act, and to the Proceedings consequent thereupon or connected therewith, as if they were herein re-enacted.

XIII When Billiard Playing shall not be allowed.

And be it enacted, That every Person keeping any public Billiard Table or Bagatelle Board, or Instrument used in any Game of the like Kind, whether he be the Holder of a Victualler's Licence or licensed under this Act, who shall allow any Person to play at such Table, Board, or Instrument after One and before Eight of the Clock in the Morning of any Day, or at any Time on Sundays, Christmas Day, or Good Friday, or any Day appointed to be kept as a Public Fast. or Thanksgiving; and every Person holding a Victualler's Licence who shall allow any Person to play at such Table, Board, or Instrument kept on the Premises specified in such Victualler's Licence at any Time when such Premises are not by Law allowed to be open for the Sale of Wine, Spirits, or Beer, or other fermented or distilled Liquors, shall be liable to the Penalties herein provided in the Case of Persons keeping such public Billiard Table, Bagatelle Board, or Instrument as aforesaid for public Use without Licence; and during those Times when Play at such Table, Board, or Instrument is not allowed by this Act every House licensed under this Act, and every Billiard Room in every House specified in any Victualler's Licence, shall be closed, and the keeping of the same open, or allowing any Person to play therein or thereat, at any of the Times or on any of the Days during which such Play is not allowed by this Act, shall be deemed in each Case an Offence against the Tenor of the Licence of the Person so offending.

XIV Empowering Constables to visit licensed Houses.

And be it enacted, That it shall be lawful for all Constables and Officers of Police to enter into any House, Room, or Place where any public Table or Board is kept for playing at Billiards, Bagatelle, or any Game of the like Kind, when and so often as such Constables and Officers shall think proper ; and every Person licensed under the said Act of the Ninth Year of the Reign of King George the Fourth, or under this Act, who shall refuse to admit or who shall not admit any such Constable or Officer of Police into such House, Room, or Place shall, on Conviction thereof before a Police Magistrate or any Two Justices of the Peace, be deemed guilty of an Offence against the Tenor of his Licence, whether the same be a Billiard Licence or a Victualler's Licence, and in the Case of a First, Second, Third, or subsequent Offence shall be punished accordingly.

XV Repeal of 16 C.2. c.7.

And be it enacted, That an Act passed in the Sixteenth Year of the Reign of King Charles the Second, and an Act passed by the Parliament of Ireland in the Tenth Year of the Reign of King William the Third, each of such Acts being intituled An Act against deceitful, disorderly, and, excessive Gaming, and so much of an Act passed in the Ninth Year of the Reign of Queen Anne, and of an Act passed by the Parliament of Ireland in the Eleventh Year of the same Reign, each of such Acts being intituled An Act for the better preventing of excessive and deceitful Gaming, as was not altered by an Act passed in the Sixth Year of the Reign of His late Majesty, intituled An Act to amend the Law relating to Securities given for Considerations arising out of gaming, usurious, and certain other illegal Transactions, and so much of an Act passed in the Eighteenth Year of the Reign of King George the Second, intituled An Act to explain, amend, and make more effectual the Laws in being to prevent excessive and deceitful Gaming, and to restrain and prevent the excessive Increase of Horse Races, as relates to the first-recited Act of Queen Anne, or as renders any Person liable to be indicted and punished for winning or losing, at Play or by Betting, at any One Time, the Sum or Value of Ten Pounds, or within the Space of Twenty-four Hours the" Sum or Value

of Twenty Pounds, shall be repealed, except as to any Penalties incurred on or before the Fifth Day of March in the Year One thousand eight hundred and forty-four, for recovering which any Suit shall have been commenced before the said Fifth Day of March, and the Proceedings for Recovery and Application of the same.

XVI Pending Actions and Informations to be discontinued.

And be it enacted, That after the passing of this Act it shall be lawful for any Person or Persons against whom any Action, Bill, Complaint, or Information shall have been sued out, commenced, or prosecuted, for the Recovery of any pecuniary Penalty or Penalties incurred on or before the Day of the passing of this Act, under the Provisions of any Act herein-before amended or repealed, to apply to the Court in which such Action, Bill, Complaint, or Information shall have been sued out, commenced, or prosecuted, or to any Judge of any of the Superior Courts at Westminster, for an Order that such Action, Bill, Complaint, or Information shall be discontinued, upon Payment of the Costs thereof which were incurred on or before the Fifth Day of March in the Year One thousand eight hundred and forty-four, such Costs to be taxed according to the Form of such Court; and every such Court or Judge, upon such Application, shall make such Order as aforesaid; and upon the making such Order, and Payment or Tender of such Costs as aforesaid, such Action, Bill, Complaint, or Information shall be forthwith discontinued.

XVII Cheating at Play to be punished as obtaining Money by false Pretences.

And be it enacted, That every Person who shall, by any Fraud or unlawful Device or ill Practice in playing at or with Cards, Dice, Tables, or other Game, or in bearing a Part in the Stakes, Wagers, or Adventures, or in betting on the Sides or Hands of them that do play, or in wagering on the Event of any Game, Sport, Pastime, or Exercise, win from any other Person to himself, or any other or others, any Sum of Money or valuable Thing, shall be deemed guilty of obtaining such Money or valuable Thing from such other Person by a false Pretence, with Intent to cheat or defraud such Person of the same, and, being convicted thereof, shall be punished accordingly.

XVIII Wagers not recoverable at Law.

And be it enacted, That all Contracts or Agreements, whether by Parole or in Writing, by way of gaming or wagering, shall be null and void; and that no Suit shall be brought or maintained in any Court of Law or Equity for recovering any Sum of Money or valuable Thing alleged to be 'won upon any Wager, or which shall have been deposited in the Hands of any Person to abide the Event on which any Wager shall have been made: Provided always, that this Enactment shall not be deemed to apply to any Subscription or Contribution, or Agreement to subscribe or contribute, for or toward any Plate, Prize, or Sum of Money to be awarded to the Winner or Winners of any lawful Game, Sport, Pastime, or Exercise.

XIX Proceedings under feigned Issues abolished.

And whereas many important Questions are now tried in the Form of feigned Issues, by stating that a Wager was laid between Two Parties interested in respectively maintaining the Affirmative and the Negative of certain Propositions ; but such Questions may be as satisfactorily tried without such Form; be it therefore enacted, That in every Case where any Court of Law or Equity may desire to have any Question of Fact decided by a Jury it shall be lawful for such Court to direct a Writ of Summons

to be sued out, by such Person or Persons as such Court shall think ought to be Plaintiff or Plaintiffs, against such Person or Persons as such Court shall think ought to be Defendant or Defendants therein, in the Form set forth in the Second Schedule to this Act annexed, with such Alterations or Additions as such Court may think proper; and thereupon all the Proceedings shall go on and be brought to a close in the same Manner as is now practised in Proceedings under a feigned Issue.

XX Appeal to Quarter Sessions.

And be it enacted, That any Person who shall be summarily convicted under this Act may appeal to the next General or Quarter Session of the Peace to be holden for the County or Place wherein the Cause of Complaint shall have arisen, provided that such Person at the Time of the Conviction, or within Forty-eight Hours thereafter, shall enter into a Recognizance, with Two sufficient Securities, conditioned personally to appear at the said Session to try such Appeal, and to abide the further Judgment of the Court at such Session, and to pay such Costs as shall be by the last-mentioned Court awarded; and it shall be lawful for the Magistrate or Justices by whom such Conviction shall have been made to bind over the Witnesses who shall have been examined in sufficient Recognizances to attend and be examined at the hearing of such Appeal; and that every such Witness, on producing a Certificate of being so bound, under the Hand of the said Magistrate or Justices, shall be allowed Compensation for his or her Time, Trouble, and Expences in attending the Appeal, which Compensation shall be paid in the first instance by the Treasurer of the County or Place, in like Manner as in Cases of Misdemeanor, under the Provisions of an Act passed in the Seventh Year of the Reign of King George the Fourth, intituled An Act for improving the Administration of Criminal Justice in England, and in case the Appeal shall be dismissed, and the Order or Conviction affirmed, the reasonable Expences of all such Witnesses attending as aforesaid, to be ascertained by the Court, shall be repaid to the said Treasurer by the Appellant.

XXI Distress not unlawful for Want of Form.

And be it enacted. That when any Distress shall be made for any Money to be levied by virtue of the Warrant of any Justice under this Act, the Distress shall not be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Information, Summons, Warrant of Apprehension, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser from the Beginning on account of any Irregularity which shall be afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage by an Action on the Case in any of Her Majesty's Courts of Record.

XXII Plaintiff not to recover after Tender of Amends.

And be it enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in the Execution of this Act, or in, under, or by virtue of any Authority hereby given, if Tender of sufficient Amends shall have been made, by or on behalf of the Party who shall have committed such Irregularity, Trespass, or other wrongful Proceeding, before such Action brought; and in case no Tender shall have been made it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit; whereupon

such Proceeding, Order, and Adjudication shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

XXIII Limitation of Actions.

And be it enacted, That no Action, Suit, or Information, or any other Proceeding, of what Nature soever, shall be brought against any Person for any thing done or omitted to be done in pursuance of this Act, or in the Execution of the Authorities under this Act, unless Notice in Writing shall be given by the Party intending to prosecute such Suit, Information, or other Proceeding, to the intended Defendant, One Calendar Month at least before prosecuting the same, nor unless such Action, Suit, Information, or other Proceeding shall be brought or commenced within Three Calendar Months next after the Act or Omission complained of, or in case there shall be a Continuation of Damage, then within Three Calendar Months next after the doing such Damage shall have ceased.

XXIV Construction of Terras.

And be it enacted, That in Ireland the Term " Metropolitan Police Force," and the Terms " Commissioners of the Police of the Metropolis," and the Terms " Metropolitan Police District," shall mean and include respectively the Dublin Metropolitan Police Force, the Commissioners of Police of Dublin Metropolis, and the Police District of Dublin Metropolis.

XXV Conviction, &c. not to be quashed for Informality, &c.

And be it enacted, That no Information, Conviction, or other Proceeding before or by any Justice or Justices under this Act shall be quashed or set aside, or adjudged void or insufficient, for Want of Form, or be removed by Certiorari into Her Majesty's Court of Queen's Bench.

XXVI Act may be repealed, &c.

And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Status: This is the original version (as it was originally enacted).

FIRST SCHEDULE

TO WHICH THE FOREGOING ACT REFERS

Form of Warrant

County of To the Constable Whereas it appears to me, J. P., One of the Justices of our Lady the Queen, assigned to keep the Peace in the said County, by the Information on Oath of A. B. of _____ in the County of _____, Yeoman, that the House [Room or Place] known as (here insert a Description of the House, Room, or Place by which it may be readily known and found), is kept and used as a common Gaming House within the Meaning of an Act passed in the _____ Year of the Reign of Her Majesty Queen Victoria, intituled [here insert the Title of this Act] :

This is, therefore, in the Name of our Lady the Queen, to require you, with such Assistants as you may find necessary, to enter into the said House [Room or Place], and, if necessary, to use Force for making such Entry, whether by breaking open Doors or otherwise, and there diligently to search for all Instruments of unlawful Gaming which may be therein, and to arrest, search, and bring before me, or some other of the Justices of our Lady the Queen assigned to keep the Peace within the County of _____ as well the Keepers of the same as also the Persons there haunting, resorting, and playing, to be dealt with according to Law; and for so doing this shall be your Warrant.

J. P. (I.s.) Given under my Hand and Seal at _____ in the County of _____ this _____ Day of _____ in the _____ Year of the Reign of _____.

SECOND SCHEDULE

TO WHICH THE FOREGOING ACT REFERS

In the Court of Queen's Bench [Common Pleas, or Exchequer, or in any inferior Court, as the Case may be]. Middlesex, to wit, [or such other County as may be directed]. Whereas A. B. affirms, and C. D. denies [here state fully the Fact or Facts in issue] and the Lord Chancellor [or such other Court, &c] is desirous of ascertaining the Truth by the Verdict of a Jury, and both Parties pray that the same may be inquired of by the Country. Now let a Jury, &c.

THIRD SCHEDULE

TO WHICH THE FOREGOING ACT REFERS

Form of Licence

At the General Licensing Annual Meeting [or an Adjournment of the General Annual Licensing Meeting, or at a Special Petty Session] of Her Majesty's Justices of the Peace acting for the Division [or Liberty, &c., as the Case may be], of _____ in the County of _____ holden at _____ on the _____ Day of _____ in the Year _____ for the Purpose of granting Billiard Licences, we being _____ of Her Majesty's Justices of the Peace acting for the said County [or Liberty, &c, as the Case may be,] and being the Majority

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of those assembled at the said Session, do hereby authorize and empower A.L. now dwelling at _____ in the Parish of _____ to keep a House for public Billiard playing at [here specify the House], provided that he [or she] put and keep up the Words "Licensed for Billiards" legibly printed in some conspicuous Place near the Door and on the Outside of the said House, and do not wilfully or knowingly permit Drunkenness or other disorderly Con-duct in the said House, and do not knowingly allow the Consumption of exciseable Liquors therein by the Persons resorting thereto, and do not knowingly suffer any unlawful Games therein, and do not knowingly suffer Persons of notoriously bad Character to assemble and meet together therein, and do not open the said House for Play or allow any Play therein after One and before Eight of the Clock in the Morning, or keep it open or allow any Play therein on Sundays, Christmas Day, or Good Friday, or on any Day appointed for a public Fast or Thanksgiving, but do maintain good Order and Rule therein : And this Licence shall continue in force from the _____ Day of _____ next, until the _____ Day of _____ then next following, and no longer. Given under our Hands and Seals on the Day and at the Place first written.