

CHAPTER 75.

Of Lotteries.

SECTION

- 1.—Penalty for publishing or holding a lottery of any kind. How enforced and applied.
- 2.—Penalty for buying and selling lottery tickets.
- 3.—Sales, gifts, &c., founded in lotteries, to be null and void. Forfeiture.

SECTION

- 4.—As to purchasers without notice.
- 5.—Non-payment of penalties.
- 6.—Chapter not to extend to *bona fide* division of property held in common.
- 7.—Limitation of suits

1. If any person make, print, advertise, or publish, or procure to be made, printed, advertised, or published, any proposal, scheme or plan for holding a lottery, or for advancing, lending, giving, selling, or in any way disposing of any money, or any other property, by lots, cards, tickets, dice or any mode of chance whatever, or sell, barter, exchange give, lend, or otherwise dispose of, or cause, or procure, or aid, or assist in the sale, barter, exchange, gift, or loan of any money or property, or of any lot, card, ticket, or other means or device for advancing, lending, giving, selling, or otherwise disposing of any money or property, by lots, tickets, or any mode of chance whatever, such person shall, upon conviction thereof in a summary manner before any stipendiary Justice, forfeit a sum not exceeding fifty dollars for every such offence, together with costs; which forfeiture and costs shall be levied by distress and sale of the offender's goods by warrant of such Justice; and such forfeiture shall be applied one-half to the person suing for the same, and the other half to the Receiver General for the use of the colony.

2. Any person buying, bartering, exchanging, taking, or receiving any such money or property, or any such lot, card, ticket, or other device, as in the first section of this chapter mentioned, shall upon conviction thereof, in like manner as therein mentioned, forfeit the sum of twenty dollars for such offence, to be recovered with costs, and to be applied as aforesaid.

3. Any sale, loan, gift, barter, or exchange of any money or any property by any lottery ticket, card or other mode of chance whatever, depending upon or to be determined by chance or lot, shall be void to all intents and purposes; and all such money or property so sold, lent, given, bartered or exchanged, shall be forfeited to such person as will sue for the same by action or information in any Court of Record in this colony.

4. No such forfeiture shall affect any right or title to such property acquired by any *bona fide* purchaser for valuable consideration without notice.

5. If any person so convicted as aforesaid have not sufficient goods and chattels whereon to levy the penalties authorized by this chapter, or do not immediately pay the said penalties the Justice convicting such person shall commit him to prison for a period not exceeding three months, unless such fine and costs be sooner paid.

6. Nothing in this chapter contained shall prevent joint-tenants, tenants in common, or persons having joint interest in any property, from dividing any such property by lot or chance in the same manner as if this chapter had not been passed; and the Magistrates, during any seasons of general festivity and other special occasions, may license and permit the holding of cake, bazaar and other lotteries, if of a character which they shall regard as unobjectionable, upon such conditions as they may consider necessary for the preservation of order and propriety.

7. The prosecution of every offence punishable under this chapter shall be commenced within two months next after the commission of such offence, and not afterwards.