



At the GENERAL-ASSEMBLY of the
Province of *Nova-Scotia*, begun and
holden at *Halifax*, on Tuesday the
4th. Day of *December*, 1759, and in
the 33^d Year of His Majesty's Reign.



AN ACT

To prevent GAMING.

BE it enacted by His Excellency the Governor, Council, and
Assembly, and by the Authority of the same it is hereby e-
nacted, That from and after the Publication hereof, all
public Gaming at *Cards, Dice, Tennis, Bowls*, or any other
Games whatsoever; and all *Lotteries*, and publick *Ga-
ming-Tables*, shall be deemed and adjudged to be *Nu-
jances*; and all *Notes, Bills, Bonds, Judgments, Mort-
gages*, or other *Securities* or *Conveyances* whatsoever, given, granted, drawn,
or entered into, or executed, by any Persons whatsoever, where the
Whole or any Part of the Consideration of such *Conveyances* or *Securities*
shall be for any Money, or other valuable Thing whatsoever, won by
Gaming or Playing at *Cards, Dice, Tables, Tennis, Bowls*, or other Game
or Games whatsoever, or by betting on the Sides or Hands of such as
do game at any of the Games aforesaid; or for the reimbursing or repay-
ing any Money knowingly lent or advanced for such *Gaming* or *Betting*
as aforesaid, or lent and advanced at the Time and Place of such Play,
to any Person or Persons so *gaming* or *betting* as aforesaid, or to a-
ny other Person or Persons in Trust for, or to the Use of them so *ga-
ming* or *betting*; or that shall, during such Play, so *game* or *bett*, shall
A be

be utterly void, frustrate, and of none Effect, to all Intents and Purposes whatsoever: And that where such *Mortgages, Securities, or other Conveyances*, shall be of *Lands, Tenements, or Hereditaments*, or shall be such as incumber or affect the same, such *Mortgages, Securities, or other Conveyances*, shall enure and be to and for the sole Use and Benefit of, and shall devolve upon, such Person or Persons, as should or might have, or be intitled to such *Lands, Tenements or Hereditaments*, in case the said *Grantor or Grantors* thereof, or the Person or Persons so incumbering the same had been naturally dead; and as if such *Mortgages, Securities, or other Conveyances*, had been made to such Person or Persons so to be intitled after the Decease of the Person or Persons so incumbering the same; and that all *Grants or Conveyances*, to be made for the preventing such *Lands or Tenements or Hereditaments* from coming to, or devolving upon such Person or Persons hereby intended to enjoy the same as aforesaid, shall be deemed fraudulent and void, and of none Effect to all Intents and Purposes whatsoever.

And be it further enacted, That from and after the Publication hereof, any Person or Persons whatsoever, who shall by playing at *Cards, Dice, or Tables*, or any other *Game or Games* whatsoever, or by *betting* on the Sides or Hands of such as do play at any *Game or Games* as aforesaid, within *Twenty four Hours*, or at any one Meeting or Sitting, lose to any one or more Person or Persons, so playing or betting, any Sum or Sums of Money, exceeding the Sum of *Twenty Shillings*, or any other valuable Thing or Things whatsoever beyond the Value of the Sum of *Twenty Shillings*, and shall pay or deliver the same or any part thereof, the Person or Persons so losing and paying or delivering the same, shall be at Liberty, within *one Month* then next following, to sue for and recover the Money or Goods so lost and paid or delivered, or any part thereof, from the respective Winner or Winners thereof, with Costs of Suit, by *Action of Debt* founded on this Act; to be prosecuted in any of His Majesty's Courts of Record, in which Action it shall be sufficient for the Plaintiff to alledge that the Defendant or Defendants are indebted to the Plaintiff, or received to the Plaintiff's Use, the Monies so lost and paid, or converted the Goods won of the Plaintiff to the Defendant's Use, whereby the Plaintiff's Action accrued to him according to the Form of this Act; and in case the Person or Persons who shall lose such Money or other Thing as aforesaid, shall not, within the Time aforesaid, really and *bona fide*, and without Coven or Collusion, sue, and with Effect prosecute for the Money or other Thing so by him or them lost and paid, or delivered as aforesaid, it shall and may be lawful to and for any Person or Persons, within *one Month* thereafter, by any such Action or Suit as aforesaid, to sue for and recover the same with Costs of Suit, against such Winner or Winners as aforesaid; the one Moiety thereof to the Use of the Person or Persons that will sue for the same, and the other Moiety to the Use of the Poor of the Town where the Offence shall be committed.

And be it further enacted, That the Parent, Guardian, or Master of any Person or Persons under the Age of *Twenty-one Years*, shall likewise be at Liberty to sue for and recover, in Manner as is before prescribed, any Money or other Thing won by *Gaming* from such Persons within lawful Age, and *treble* the Value of the Money so won, with Costs of Suit.

And

And be it further enacted, That if any Persons shall by Fraud, unlawful Device, or ill Practice whatsoever, in playing at any Game or Games whatsoever, or by bearing a Share or Part in the Stakes, or by Betting on the Sides of such as shall play, win, or acquire to themselves, or to any others, any Money or other valuable Thing; every Person so winning or acquiring by such ill practice as aforesaid, and being thereof convicted of any of the said Offences, upon Indictment or Information, shall forfeit *five Times* the Value of the Money or other Thing, so won as aforesaid, such Penalty to be recovered by such Person as shall sue for the same by such Action as aforesaid.

And for the better suppressing all publick Gaming Houses, it is hereby further enacted, That it shall and may be lawful to and for any two or more of His Majesty's Justices of the Peace, to enter into any publick Houses suspected of keeping any Gaming Tables, and to order and direct the Keepers of such Gaming Tables, if any such shall be found therein, to remove the same within *Forty-eight Hours*, as a publick Nuisance; and any Person refusing or neglecting to obey the Order of such Justices, the said Justices shall have Power to break and prostrate such publick Gaming Tables, and also to require sufficient Security from Persons keeping such publick Gaming Houses, for their good Behaviour during *Twelve Months*, or for their Appearance at the next Quarter Sessions, there to be prosecuted for offending against this Act, and on Conviction, to be either fined or imprisoned, as the Court shall direct.



An Act for permitting Persons of the Profession of the People called *Quakers*, to make an Affirmation, instead of taking an *Oath*.

BE it enacted by His Excellency the Governor, Council and Assembly, and by the Authority of the same it is hereby enacted, That every Person of the Profession of the People called *Quakers*, who shall be required upon any lawful Occasion to take an *Oath*, shall instead of an *Oath* in the usual Form, be permitted to make his or her solemn *Declaration* or *Affirmation* in these Words, *to wit*.

“ I A. B. do solemnly, sincerely, and truly declare and affirm :”

Which solemn *Affirmation* shall be adjudged and taken to be of the same Force and Effect, in all Places where by Law an *Oath* shall be required, as if such *Quaker* had taken an *Oath* in the usual Form.

And be it further enacted, That every Person who shall have made such solemn *Affirmation*, and shall be convicted of wilfully, falsely, and corruptly, having affirmed any Thing, which if the same had been sworn in the usual Form, would have amounted to wilful and corrupt Perjury, shall incur the same penalties as Persons convicted of wilful and corrupt Perjury.

Provided,