

CHAP. 79,

of a lottery or lotteries, within the year, for which the said license or licenses shall be granted, and which scheme or schemes shall produce the sum of fifteen thousand dollars at least, to the use of the State, within the said year, and accrue to the said use, at a rate which the said commissioners may deem as favorable to the state as five per centum would be on the amount of the tickets that the person or persons who may be licensed as aforesaid, shall sell in the scheme or schemes, that, for the purpose of raising the said sum of money, or any further amount, to the use of the State, shall have been formed by, or submitted to, and approved of by the said commissioners.

Restrictions.

Sec. 2. *And be it enacted,* That the foregoing provisions of this act shall not be construed to modify any law of this State, except in behalf of any person or persons who shall have been licensed as hereinbefore provided, and be entitled to the use of such license or licenses, and such other person or persons as may rightfully claim and enjoy the privileges conferred by such license or licenses, under an assignment thereof, made with the knowledge and approbation of the said commissioners; which said knowledge and approbation are hereby made necessary as conditions precedent to the validity of any and every such assignment; nor shall the said provisions be construed to modify any law of this State in behalf of any person or persons so licensed or entitled to the use of such license, any further than the true intent, object, and meaning of the license or licenses, that shall be granted as aforesaid, should be rightfully deemed or considered as necessarily modifying the same.

Penalty for offence.

Sec. 3. *And be it enacted,* That if any person shall commit any offence, or cause any offence to be committed, that is created and forbidden by any law of this State, having any reference to the lottery system thereof, or that was passed for the purpose of establishing, modifying, amending, or enforcing the same, or any part or provision thereof; any and every person so offending shall forfeit and pay the sum of thirty dollars for each and every such offence, one half to the use of the informer, the other to the use of the State; to be recovered by warrant, before a justice of the peace, in the same manner as small debts are, or shall be recovered; *Provided however,* That before any warrant shall be granted to enforce any such forfeiture or payment, it shall be and hereby is made necessary, that the lottery commissioners shall approve and request in writing, that such warrant may be issued; *And provided also,* That the prosecution to be instituted, and the forfeiture, and payment to be enforced by such warrant, shall be sub-

Provisoes.