

other property play with cards marked or in any manner so designated or distinguished as to enable such person to obtain an advantage not possessed by every one with whom he shall play, or shall use any fraudulent means whatsoever to obtain an undue advantage in playing of any game where money or property is dependent on the result; or shall keep a room, building, arbor, booth, shed, tenement, boat, float, or place to be used for insuring or betting or wagering or receiving any consideration, money or other thing, or making any promise or agreement as aforesaid, he shall be considered under this act as a common Gambler, and shall on conviction be imprisoned not less than ten days nor more than six months, in the jail of the city or county where the offence shall be committed, at the discretion of the court in which the conviction shall be had, and shall pay a fine of not less than twenty five dollars and not more than one thousand dollars, and in case the said fine and costs shall not be paid before the expiration of the term for which such person shall be sentenced to be imprisoned, he shall further be imprisoned or remain imprisoned in the said jail until the said fine and costs shall be paid, or until the said fine and costs shall be satisfied, accounting each day's actual imprisonment of such person as a payment of one dollar of the amount of said fine and costs, and one-half of the amount of every such fine or of so much thereof as shall not be satisfied by imprisonment as aforesaid shall be paid to the informer, who shall be a competent witness, and the other half shall be paid for the use of the public schools of the county in which such offence shall be committed; or if committed in the city of Baltimore, to the Mayor and city council of Baltimore, for the use of the public schools of said city, and in no case shall judgment be suspended beyond the last day of the term of the court during which such conviction shall have taken place.

SEC. 3. *And be it enacted*, That if an affidavit shall be filed with any justice of the peace for any county of this State, or of the city of Baltimore, before whom complaint shall have been made of any offence against any provision of this act, stating that the affiant has reason to believe and does believe that the person so charged in such complaint has at any place named in such affidavit, any gaming table, device, or apparatus, or any register, list, memorandum, or book of

Duty of officer.